

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

ADDRESS OF THE LAND:

270 Hardys Road CLYDE NORTH VIC 3978 Lot 2 PS 305667, Lot PC 379042G 272S Hardys Road CLYDE NORTH VIC 3978

THE PERMIT ALLOWS:

Staged Multi-Lot Subdivision of Land, Creation of an Easement or Restriction, Creation of Access to a Road in a Road Zone, Category 1 and Subdivision of Land Adjacent to a Road in a Road Zone, Category 1

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Conditions: 1-117 and Notes (Inclusive)

Actions prior to the certification of a plan of subdivision

1. Prior to the endorsement of an amended subdivision layout plan under the permit, functional layout plans to the satisfaction of the Responsible Authority, the Director, Victorian Desalination Project, Water and Catchments, Department of Environment, Land, Water and Planning and the Department of Transport (previously VicRoads) for the following *Clyde Development Contributions Plan* (the DCP) projects must be submitted to and approved by the Responsible Authority, the Director, Victorian Desalination Project, Water and Catchments, Department of Environment, Land, Water and Planning and the Department of Transport:
 - (a) Bells Road (DCP Project ID RD-53-03A) located between the southern limit of works boundary of the Bells Road / Tuckers Road intersection (DCP Project ID IN-53-11) and the northern limit of works boundary of the Bells Road / Hardys Road intersection (DCP Project ID IN-53-17);
 - (b) Bells Road over the Victorian Desalination Project easement (DCP Project ID BR-53-06);
 - (c) the Bells Road / Hardys Road intersection (DCP Project ID IN-53-17); and
 - (d) Bells Road (DCP Project ID RD-54-04) located between the southern limit of works boundary of the Bells Road / Hardys Road intersection (DCP Project ID IN-53-17) and the northern limit of works boundary Bells Road / Road A (20m access street) intersection.
2. Prior to the endorsement of an amended subdivision layout plan under the permit, a traffic management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit. The plan must be drawn to scale with dimensions. The plan must:

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (a) identify the staging of the closure of Pound Road located between the Bells Road / Hardys Road intersection (DCP Project ID: IN-53-17) and the southern boundary of the land to through traffic (the road closure) that must:
 - (i) align with the stage boundaries shown on the amended subdivision layout plan submitted for endorsement under the permit; and
 - (ii) occur prior to the issue of a statement of compliance for the first plan of subdivision that vests road reserve that intersects with Pound Road with Casey City Council, or, creates a dwelling lot that adjoins Pound Road;
- (b) identify on a plan:
 - (i) the extent of the road closure;
 - (ii) measures to restrict access for the road closure;
 - (iii) road signage advising of the road closure and the temporary road connection;
 - (iv) indicative location of the road signage;
- (c) identify a temporary road connection through the subject land for public access and emergency response, which must become operational immediately following the road closure;
- (d) identify the works required for the:
 - (i) construction of the temporary road connection;
 - (ii) maintenance of the temporary road connection, including the frequency of maintenance works; and
- (e) identify any other requirements to formalise the temporary road connection.

The approved plan must be implemented at no cost to the Responsible Authority to the satisfaction of the Responsible Authority.

3. Prior to the certification of the first plan of subdivision, an amended subdivision layout plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit. The plan must be drawn to scale with dimensions. The plan must be generally in accordance with the *Indicative Subdivision & Staging Plan – Council – Precinct 1; 270 & 272 Hardys Road, Clyde North* (Version No: 08) prepared by Beveridge Williams dated 8 April 2020 (Job No: 1702037) (Sheet 1 of 1) submitted with the application but modified to show:
- (a) the amendment of the land budget table and legend items:
 - (i) “Unencumbered passive open space” to “Local park”;

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

- (ii) “Off-road shared path” to “Off-road shared path (3m wide)”;
- (iii) “Two way off-road bike lane” to “2 way off-road bike lane & pedestrian path (3m wide)”;
- (b) the identification of the following three (3) locations notated “Pound Road Reserve” as a new legend item “Pound Road tree reserve”:
 - (i) between Roads D and M adjoining stage 3;
 - (ii) between a line providing a continuation of the northern boundary of Lot 3 PS830159G through the Pound Road reserve and Road D adjoining stage 4;
 - (iii) between Road M and a line providing a continuation of the southern boundary of Lot 3 PS830159G through the Pound Road reserve adjoining stage 7;
- (c) the relocation of the off-road shared path (3m wide) from the adjacent properties located at 1525 Pound Road, Clyde North (Lot 2 PS 327975F) (Sienna Park Pty Ltd) and 1575 Pound Road, Clyde North (Lot 1 LP 145792) (Nick Baldi Constructions Pty Ltd) to the Pound Road reserve;
- (d) the amendment of the Precinct 1 boundary to:
 - (i) reflect the boundary of Lot 3 PS830159G (Version 12) prepared by Beveridge Williams dated 22 May 2020 (Surveyors File Ref: 0900228/00) endorsed under condition 1 of Planning Permit No.: PlnA00910/19 issued 6 May 2020; and
 - (ii) where the functional layout plans endorsed as the approved plans under condition 1 of the permit show that the boundary of the land required for Bells Road does not align with the western boundary of Lot 3 PS830159G, the approved functional layout plans prevail and the Precinct 1 boundary must be amended to reflect the western boundary of the land required for the Bells Road shown on the approved functional layout plans;
 - (iii) incorporate the Pound Road reserve;
- (e) the amendment of the extent of “Arterial road” to reflect the boundaries of the land required for Bells Road shown on the functional layout plans endorsed as the approved plans under condition 1 of the permit, which must incorporate all 3m wide shared paths;
- (f) the amendment of stage boundaries to:
 - (i) incorporate the Pound Road reserve;
 - (ii) divide the 896m² tree reserve located in stage 4 into two stages for delivery concurrently with the adjoining dwelling lot;
- (g) the amendment of the stage sequencing table to show the cumulative number of dwelling lots created in each stage of the permitted subdivision;

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

- (h) the amendment of the subdivision layout to meet Requirement R8 of the *Clyde Creek Precinct Structure Plan* and Clause 56.04-4 – Street orientation objective (Standard C10) and Clause 56.06-2 – Walking and cycling network objectives (Standard C15) of the *Casey Planning Scheme* as follows:

Stage 3

- (i) the relocation of the north-south aligned Road M (16m road reserve) west to become a 17.5m road reserve (loop road) adjoining Bells Road in accordance with condition 3(i) of the permit;
- (ii) the widening of the east-west aligned Road M (12.5m road reserve) to become a 16m road reserve;
- (iii) the addition of a 16m road reserve (driveway) adjoining Bells Road in accordance with condition 3(i) of the permit in the location of the 12m tree reserve adjoining the western boundary of the 375m² dwelling lot accessed from the east-west aligned Road M (12.5m road reserve);
- (iv) the reorientation of the 375m² and 350m² dwelling lots accessed from the east-west aligned Road M (12.5m road reserve) such that the 16m road reserve (driveway) required by condition 3(h)(iii) of the permit becomes the primary street frontage to these two dwelling lots;

Stages 5 and 8

- (v) the relocation of the north-south aligned Road G (16m road reserve) located in stages 5 and 8 west to become a 17.5m road reserve (loop road) adjoining Bells Road in accordance with condition 3(i) of the permit;
- (vi) the widening of the east-west aligned Road G (12.5m road reserve) located in stage 5 to become a 16m road reserve;
- (vii) the addition of a 16m road reserve (driveway) adjoining Bells Road in accordance with condition 3(i) of the permit in the location of the 12m tree reserve located in stage 8 adjoining the western boundary of the 586m² dwelling lot accessed from the east-west aligned Road G (12.5m road reserve) located in stage 5;
- (viii) the reorientation of the 586m² and 448m² dwelling lots accessed from the east-west aligned Road G (12.5m road reserve) located in stage 5 such that the 16m road reserve (driveway) required by condition 3(h)(vii) of the permit becomes the primary street frontage to these two dwelling lots;
- (ix) the widening of the east-west aligned Road G (12.5m road reserve) located in stage 8 to become a 16m road reserve;

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (x) the addition of a 16m road reserve (driveway) adjoining Bells Road in accordance with condition 3(i) of the permit in the location of the 12m tree reserve located in stage 8 adjoining the western boundary of the 599m² dwelling lot accessed from the east-west aligned Road G (12.5m road reserve) located in stage 8; and
- (xi) the reorientation of the 599m² and 512m² dwelling lots accessed from the east-west aligned Road G (12.5m road reserve) located in stage 8 such that the 16m road reserve (driveway) required by condition 3(h)(x) of the permit becomes the primary street frontage to these two dwelling lots;
- (i) the implementation of the *Indicative Street Cross Section; Bells Road – Interface; 270 & 272 Hardys Road, Clyde North* (Version 01) prepared by Beveridge Williams dated 8 July 2020 (Sheet 1 of 1) submitted with the application by widening the road reserves of all:
 - (i) loop roads adjoining Bells Road to become 17.5m road reserves; and
 - (ii) driveways adjoining Bells Road to become 16m road reserves;
- (j) the dimensioning of:
 - (i) the Pound Road reserve located between the eastern boundary of the land subject to this permit and the western boundary of the adjacent properties located at 1525 Pound Road, Clyde North (Lot 2 PS 327975F) (Sienna Park Pty Ltd) and 1575 Pound Road, Clyde North (Lot 1 LP 145792) (Nick Baldi Constructions Pty Ltd) which is to be certified by a licensed surveyor and reflected in amended Road D and M section notations on the plan;
 - (ii) the radius of the following court bowls to accord with Figure 10.16.1 – Minimum Dimensions of Turning Areas of the *Engineering Design and Construction Manual for Subdivision in Growth Areas* prepared by the Victorian Planning Authority dated December 2019:
 - A. stage 4 (two court bowls);
 - B. stage 7 (two court bowls);
 - (iii) the 60m minimum access restrictions for the approach and departure sides for the Bells Road / Road A (20m access street) intersection and Bells Road / Heather Grove intersection;
 - (iv) Road J adjoining Lanes A and B (stage 6) widened to be 16m wide;
 - (v) Lane E (stage 7) to be a minimum 8m wide;
 - (vi) the width of the road reserve south of the Heather Grove / Road I roundabout at the Precinct 1 boundary (stage 8);
 - (vii) all tree reserves;

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

-
- (k) amended Pound Road reserve sections that:
- (i) reflect the width certified by the licensed surveyor under condition 3(j)(i) of the permit;
 - (ii) show the following two (2) outcomes permitted:
 - A. construction of a Local Access Level 1 street (7.3m wide carriageway) within the road reserve (adjoining stages 2, 4, 6 and 7); and
 - B. tree reserve adjoining the side or rear boundary of dwelling lots (adjoining stages 2, 4 and 7);
 - (iii) show the off-road shared path (3m wide) located within the reserve in both outcomes;
- (l) all dwelling lots numbered;
- (m) the deletion of:
- (i) the linework separating the eastern boundary of Roads D and M from the eastern boundary of the Pound Road reserve;
 - (ii) the linework showing car parking spaces (stage 8) which will be resolved by the detailed construction plans required by the permit;
 - (iii) the subdivision layout linework shown on the adjacent property located at 1575 Pound Road, Clyde North (Lot 1 LP 145792) (Nick Baldi Constructions Pty Ltd), which has not been permitted by Council, but excluding the Victorian Desalination Project easement;
 - (iv) the notations “DRAFT FOR DISCUSSION PURPOSES ONLY” and “This plan is indicative only and is intended for discussion purposes only” at the footer of the plan;
- (n) the addition of the following notations:
- (i) Crossovers on adjoining lots located on the southern verge of Road A (20m access street) must be combined where possible to minimise conflicts with the off-road shared path (3m wide);
 - (ii) The off-road shared path (3m wide) located in the Pound Road reserve to be constructed to connect with the 3m shared path at the Bells Road / Hardys Road intersection (DCP Project ID IN-53-17);
 - (iii) Vehicle exclusion fencing to be provided to Walks A and B (10m road reserve) as required;

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (iv) The 17.5m wide loop roads and 16m wide driveways adjoining Bells Road incorporate widened verges that enable the planting of two (2) rows of canopy trees located within the verges of these road reserves that adjoin Bells Road;
 - (o) the location of utility service substation / kiosk sites, which must not be located on any land identified as public open space or to be used for any Municipal purpose, unless otherwise agreed by the Responsible Authority.
4. Prior to the certification of the first plan of subdivision, a public infrastructure plan to the satisfaction of the Responsible Authority and the Development Agency 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 plan must be drawn to scale with dimensions. The plan must address the following:
- (a) What land may be affected or required for the provision of infrastructure works and the timing of when such land will be provided.
 - (b) The provision, staging and timing of stormwater drainage works, including any temporary drainage works.
 - (c) The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment, including the temporary road connection.
 - (d) The provision of public open space and tree reserves, including a notation as to how much of the public open space required by Clause 53.01 of the *Casey Planning Scheme* is being provided as a land contribution, with the remainder notated to be provided as a cash in lieu contribution.
 - (e) Any distinction between the timing of the creation of any reserve or lot and its embellishment / servicing as necessitated to achieve allowed Growth Areas Infrastructure Contribution exemptions. Such must include a notation identifying the prohibition of the sale of lots or vesting of reserves created prior to their embellishment / servicing until such time as they are embellished / serviced with respect to the applicable conditions of the permit and a Statement of Compliance has been issued for the relevant stage in which they will be embellished / serviced.
 - (f) The landscaping of any land.
 - (g) What (if any) infrastructure set out in the *Clyde Development Contributions Plan* applying to the land is sought to be provided as “works in lieu” subject to the consent of Casey City Council.
 - (h) The plan must include the following “Applicant Works-in-Kind Acknowledgment” notation:

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

The permit applicant acknowledges to Council that the approval of the Permit PIP by Council is being done by Council in its capacity as the Responsible Authority and does not provide any indication or advice as to whether Council, acting in its capacity as the Collecting Agency under the relevant Development Contributions Plan, will approve a proposal to carry out any DCP projects as works in kind. The permit applicant acknowledges that a separate and formal request to carry out a DCP project as a works in kind project is required.

The plan may be amended with the consent of the Responsible Authority.

5. Prior to the certification of the first plan of subdivision, a street tree master plan for Precinct 1 defined by the amended subdivision layout plan endorsed to form part of the permit prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority 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 plan must be drawn to scale with dimensions. The plan must show:
- (a) Vegetation that is approved to be removed and retained. Vegetation to be retained requires assessment and approval by Council's Arborist.
 - (b) Buildings and trees (including *Binomial names*) on neighbouring properties impacted by the permitted subdivision.
 - (c) Road reserve widths, including areas within road reserves set aside for the retention of existing vegetation.
 - (d) The general layout of street tree plantings, including the proposed tree species which are consistent with the following outcomes / principles:
 - (i) A diverse and future climate suitable range of species that will achieve a long-term green asset in 50+ years, with a canopy cover of at least 30 percent (to be demonstrated graphically on plan to scale).
 - (ii) Species must not generally be greater than 30 per cent from a particular botanical family, greater than 20 per cent from a particular botanical genus, and no greater than 10 per cent for a particular botanical species, within the development.
 - (iii) Mature tree sizes generally in accordance with road cross sections of the Clyde Creek PSP.
 - (iv) Provision of deciduous tree species on east/west aligned streets and evergreen tree species on north/south aligned streets.
 - (v) Planting of trees in vicinity of shared paths that will provide a minimum of 50 per cent shade cover to the shared paths at tree maturity.
 - (e) The indicative location of paths and trails in accordance with the amended subdivision layout plan endorsed to form part of the permit.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (f) The location of fencing including tree, walkway and vehicle exclusion fencing.
- (g) Indicative road reserve cross-sections with street tree planting illustrated.
- (h) Consistency of streetscape planting where streets continue from adjoining developments into the subject site. *Note: It is the developer's responsibility to liaise with adjoining developer(s) to ensure planting consistency.*

All species selected must be to the satisfaction of the Responsible Authority.

6. Prior to the certification of a plan of subdivision which creates a local park shown on the amended subdivision layout plan endorsed to form part of the permit, an open space landscape master plan for the reserve prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority 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 plan must be drawn to scale with dimensions. The plan must show:
- (a) Vegetation that is approved to be removed and retained. Vegetation to be retained requires assessment and approval by Council's Arborist.
 - (b) Buildings and trees (including *Binomial names*) on neighbouring properties within three metres of the boundary.
 - (c) Site contours and any proposed changes to existing levels, including any structural elements such as retaining walls.
 - (d) The area and dimensions of the open space reserve.
 - (e) The general layout of open space reserve planting, including the proposed location of evergreen and deciduous tree species, and an indicative species list of all proposed planting.
 - (f) The proposed location of structures and furniture items.
 - (g) The proposed location of paths, trails and any other pavement areas.
 - (h) The proposed location of playgrounds, including a list of proposed play elements and age groups of play.
 - (i) The location of fencing including tree, walkway, vehicle exclusion and open space reserve fencing.
 - (j) Provision of appropriate understorey planting to achieve a target of 50 per cent ground coverage underneath canopy trees at maturity that utilises sustainable species, provides for connectivity for fauna, assists in mitigation of urban heat island impacts and is designed in accordance with *Safety by Design* and *Water Sensitive Urban Design* principles (note: lawn is not considered understorey planting).

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (k) The greening of easements where possible, utilising appropriate sustainable species which are to the satisfaction of the easement beneficiary.

All species selected must be to the satisfaction of the Responsible Authority.

7. Prior to the certification of the first plan of subdivision, an amended Bells Road tree reserve landscape master plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit. The plan must be drawn to scale with dimensions. The plan must be generally in accordance with the *Site Layout* (Revision A), *Pound Road Reserve – 1 Concept Plan* (Revision A), *Reserve Bell Road Conceptual Plan* (Revision A) and *Road Sections* (Revision A) prepared by Beveridge Williams dated 27 March 2020 (Job No: 1702037) submitted with the application but modified to show:

General requirements

- (a) the linework of the amended subdivision layout plan endorsed under the permit;
- (b) the general layout of planting in all tree reserves adjoining Bells Road (41m road reserve) shown on the amended subdivision layout plan endorsed under the permit;
- (c) the deletion of all planting located in Bells Road (41m road reserve);
- (d) the coordination of the 2-way off-road bike lane & pedestrian path (3m wide) located in Bells Road (41m road reserve) shown on the amended subdivision layout plan endorsed under the permit and proposed 1.5m wide pedestrian paths;
- (e) fencing consistent with the fencing shown on the fencing master plan endorsed under the permit;

Specific requirements

- (f) all proposed garden beds shown as mulched three-tiered planting beds comprising of a tree canopy, shrub layer and lower dense planting;
- (g) tree canopy planting in mulched areas achieving a minimum 5m offset at mature canopy extent from adjacent dwelling lot boundaries to facilitate the future maintenance of the tree reserve;
- (h) tree species, density and characteristics in accordance with *Living Melbourne: Our Metropolitan Urban Forest* (The Nature Conservancy and Resilient Melbourne 2019) and the inclusion of green infrastructure in accordance with *Embedding Green Infrastructure Best Practice Toolkit* (City of Yarra 2018); and
- (i) the resolution of any potential *Crime Prevention Through Environmental Design* (CPTED) issues arising from the general layout of planting.

All species selected must be to the satisfaction of the Responsible Authority.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

8. Prior to the certification of the first plan of subdivision, an amended Pound Road tree reserve landscape master plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit. The plan must be drawn to scale with dimensions. The plan must be generally in accordance with the *Site Layout* (Revision A), *Pound Road Reserve – 1 Concept Plan* (Revision A), *Pound Road Reserve – 2 Concept Plan* (Revision A) and *Road Sections* (Revision A) prepared by Beveridge Williams dated 27 March 2020 (Job No: 1702037) submitted with the application but modified to show:

General requirements

- (a) the linework of the amended subdivision layout plan endorsed under the permit;
- (b) sections consistent with the amended Pound Road reserve sections shown on the amended subdivision layout plan endorsed under the permit;
- (c) the general layout of planting in all three (3) Pound Road tree reserves shown on the amended subdivision layout plan endorsed under the permit;
- (d) the deletion of all planting located on the adjacent properties at 1525 Pound Road, Clyde North (Lot 2 PS 327975F) (Sienna Park Pty Ltd) and 1575 Pound Road, Clyde North (Lot 1 LP 145792) (Nick Baldi Constructions Pty Ltd);
- (e) fencing consistent with the fencing shown on the fencing master plan endorsed under the permit;

Specific requirements

- (f) the deletion of all garden bed dimensions;
- (g) all proposed garden beds shown as mulched three-tiered planting beds comprising of a tree canopy, shrub layer and lower dense planting;
- (h) tree canopy planting in mulched areas achieving a minimum 5m offset at mature canopy extent from adjacent dwelling lot boundaries to facilitate the future maintenance of the tree reserve;
- (i) tree species, density and characteristics in accordance with *Living Melbourne: Our Metropolitan Urban Forest* (The Nature Conservancy and Resilient Melbourne 2019) and the inclusion of green infrastructure in accordance with *Embedding Green Infrastructure Best Practice Toolkit* (City of Yarra 2018);
- (j) the resolution of any potential *Crime Prevention Through Environmental Design* (CPTED) issues arising from the general layout of planting;

Principal Recreation and Open Space Planner specific requirements

- (k) the location of seating and water refill stations in each Pound Road tree reserve;

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (l) the relocation of seating adjacent to the dwelling lots shown on the *Pound Road Reserve – 1 Concept Plan* (Revision A) and *Pound Road Reserve – 2 Concept Plan* (Revision A) closer to the off-road shared path (3m wide); and

Senior landscape planner specific requirements

- (m) the provision of a 2m wide pedestrian path through Walk A (10m road reserve).

9. Prior to the certification of the first plan of subdivision, a fencing master plan for Precinct 1 defined by the amended subdivision layout plan endorsed to form part of the permit prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit. The plan must:
- (a) show fencing concepts for dwelling lots that adjoin a tree reserve shown on the amended subdivision layout plan endorsed to form part of the permit, including a Pound Road tree reserve;
 - (b) specify for each fencing concept:
 - (i) height;
 - (ii) material/s used; and
 - (iii) transparency (per cent);
 - (c) show a fencing concept for dwelling lots adjoining the Pound Road tree reserve that:
 - (i) is low scale and visually permeable to facilitate public safety and surveillance in accordance with Requirement R24 of the Clyde Creek PSP and Clause 56.05-2 – Public open space provision objectives and Standard C13 of the *Casey Planning Scheme*; and
 - (ii) provides a primary point of access from each dwelling lot to the tree reserve via a gate in accordance with Guideline G12 of the Clyde Creek PSP.
10. Prior to the certification of a plan of subdivision that creates a lot with an area between 250 square metres and 500 square metres, a building envelope plan in accordance with Part 5 of the *Building Regulations* 2018 must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit. The building envelope plan must apply to all lots with an area between 250 square metres and 500 square metres where the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) is not applied. The building envelope plan must consider the provision of solar access and any other requirements of the plans endorsed to form part of the permit and show:
- (a) At least a 4 metre front setback to all lots, except:

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (i) for lots of between 250 and 300 square metres opposite or abutting a passive or active open space area or local town centre / activity centre where the front setback can be reduced to 3 metres; or
 - (ii) for lots over 300 square metres which adjoin a bank / row of Small Lot Housing Code lots whereby a reduced setback may be considered to the satisfaction of the Responsible Authority.
 - (b) At least a 1 metre offset from any boundary abutting a reserve.
 - (c) At least a 2 metre offset from any boundary abutting a side street.
 - (d) A Build to Boundary Zone (zone) must only apply to one side boundary. This zone can be shown on both side boundaries with a notation stipulating that only one of these zones can be utilised per lot in relation to the location of the crossover provided to that lot.
11. Prior to the certification of a plan of subdivision, restrictions on the plan of subdivision, which may include Design Guidelines and Memorandum of Common Provisions, must be submitted to and approved by the Responsible Authority. When approved, the restrictions will be endorsed and then form part of the permit. The restrictions must include:
- (a) A restriction that does not allow garage openings to occupy more than 40% of the width of the primary street frontage, unless the dwelling is two or more storeys.
 - (b) A restriction that does not allow garages or carports to be setback less than 5.5 metres from the primary street frontage.
 - (c) Differentiation of fencing restrictions for corner lots as opposed to standard lots in relation to fencing of a side boundary, acknowledging that corner lots should address both the primary and secondary street frontage.
- For the purposes of this condition, a corner lot is defined as a lot shown on the amended subdivision layout plan endorsed to form part of the permit that:
- (i) has two street frontages, or
 - (ii) has a side boundary that adjoins a Walk (10m road reserve).
 - (d) A consent mechanism with respect to building outside of a building envelope with the prior written consent of the Responsible Authority.
12. Prior to the certification of a plan of subdivision which creates a dwelling lot with primary street frontage to a road reserve and secondary frontage to a Pound Road tree reserve shown on the amended subdivision layout plan endorsed to form part of the permit, restrictions on the plan of subdivision, which may include Design Guidelines and Memorandum of Common Provisions, must be submitted to and approved by the Responsible Authority. When approved, the restrictions will be endorsed and then form part of the permit. The restrictions must include:
-

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (a) The construction of one dwelling on a lot must facilitate public safety, surveillance and use of the Pound Road tree reserve by:
- (i) locating only a habitable room/s on each floor level of the dwelling on the Pound Road tree reserve elevation of a dwelling;
 - (ii) locating habitable room windows on each floor level of the dwelling on the Pound Road tree reserve elevation of a dwelling;
- Note – The Small Lot Housing Code (Victorian Planning Authority, November 2019) defines “habitable room”.*
- (iii) locating a door on the ground floor level of the dwelling on the Pound Road tree reserve elevation of a dwelling which provides direct access from a habitable room to the Pound Road tree reserve;
- (b) The landscaping of a lot must facilitate public safety and surveillance of the Pound Road tree reserve by:
- (i) limiting the planting of tree, shrub, groundcover species between the dwelling and common boundary of the lot with the Pound Road tree reserve to those species with a maximum height of 1.5m at maturity.

13. Prior to the certification of a plan of subdivision that creates a lot with an area less than 300 square metres, a plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must identify lots with an area less than 300 square metres that are subject to a restriction on title requiring that the construction of one dwelling on a lot created must comply with the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) incorporated pursuant to the Schedule to Clause 72.04 of the *Casey Planning Scheme*.
14. Prior to the certification of a plan of subdivision that creates a lot with an area less than 300 square metres, a plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must identify whether Type A or Type B of the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) applies to a lot with an area less than 300 square metres.
15. Prior to the certification of any plan of subdivision, irrespective of whether South East Water has entered into an agreement as contemplated, the 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 dual plumbing for the use of recycled water in toilet flushing and garden watering should it become available.

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

16. Prior to the certification of the first plan of subdivision, written advice prepared by a suitably qualified environmental professional to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the written advice will be endorsed and will then form part of the permit. The written advice must address the relevant recommendations of Section 8 – Conclusions and Recommendations of the *Preliminary Contamination Assessment; 270-272 Hardys Road, Clyde North* (Rev 0) prepared by Beveridge Williams dated 1 February 2018 (Reference: 1702037) (the environmental site assessment) submitted with the application and specifically confirm that the following recommended remediation actions have occurred:
- (a) the buried/surface stock located within Precinct 1 defined by the amended subdivision layout plan endorsed to form part of the permit on *Figure 4 – Identified Features Location Plan* of the environmental site assessment has been removed from the site and disposed of at an appropriately licenced facility, and, the underlying soil has been validated for the relevant contaminants of concern; and
 - (b) the covered stockpile located within Precinct 1 defined by the amended subdivision layout plan endorsed to form part of the permit on *Figure 4 – Identified Features Location Plan* of the environmental site assessment has been removed from the site and disposed of at an appropriately licenced facility, and, the underlying soil has been validated for the relevant contaminants of concern, if required.
17. Prior to the certification of the first plan of subdivision, an integrated water management plan for Precinct 1 defined by the amended subdivision layout plan endorsed to form part of the permit prepared by a suitably qualified professional 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 plan must be consistent with Clause 56.01-2 and Clause 56.07 of the *Casey Planning Scheme* and specifically:
- (a) consider all aspects of the water cycle by addressing the following principles:
 - (i) safe, secure and affordable supplies in an uncertain future;
 - (ii) effective and affordable wastewater systems;
 - (iii) management of existing and future flood risks and impacts;
 - (iv) healthy and valued waterways and marine environments;
 - (v) healthy and valued urban, rural, agricultural and green landscapes;
 - (vi) reflection of community values in place-based planning;
 - (vii) jobs, economic growth and innovation;
 - (viii) control post-development volumes to mimic pre-development conditions by achieving a neutral or beneficial effect on the natural environment and receiving constructed system, waters or wetlands;

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (b) consider a requirement that each new dwelling must install a minimum 3,000 litre rainwater tank, which must be connected to supply water to all toilets and the laundry to the satisfaction of the Responsible Authority;
 - (c) consider the provision of a stormwater harvesting system for the irrigation of active and passive open space areas;
 - (d) identify any other water management initiative for the overall estate (e.g. passive irrigation of street trees); and
 - (e) clearly document the works required to achieve any proposed water management initiatives (i.e. passive irrigation of street trees to be documented through the detailed construction plans submitted to and approved by the Responsible Authority).
18. Prior to the certification of the first plan of subdivision, an amended stormwater management strategy for Precinct 1 defined by the amended subdivision layout plan endorsed to form part of the permit to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended strategy will be endorsed and then form part of the permit. The amended strategy must be generally in accordance with the *Stormwater Management Strategy; 270-272 Hardys Road, Clyde North* (Rev B) prepared by Beveridge Williams dated 16 October 2019 (Reference: 1702037) (Pages 1-45 of 45) (the stormwater management strategy) submitted with the application but modified to show:
- (a) Any consequential amendments required to the stormwater management strategy to reflect the amended subdivision layout plan endorsed to form part of the permit.
19. Unless with the prior written consent of the Responsible Authority and the Development Agency under the relevant Development Contributions Plan (the DCP), prior to the certification of the first plan of subdivision, the owner must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* (the Act) with the Responsible Authority and the Collecting Agency and the Development Agency pursuant to the DCP. The agreement must provide for:
- (a) the implementation of the endorsed public infrastructure plan approved under this permit, and, specifically, the orderly provision of those infrastructure and land projects which are part of the DCP to the satisfaction of the Collecting Agency and Development Agency;
 - (b) the provision including the timing and transfer to or vesting in Council of any land required for road or public open space or for any other infrastructure project, funded under the DCP in a manner which is agreed with Council and the Development Agency under the DCP;
 - (c) the arrangements for the provision of any infrastructure project forming part of the DCP;
 - (d) the timing and the quantum of any credit or payments to be given or made to the owner in respect of any infrastructure project or land project having regard to the availability of funds in the DCP;
-

AMENDED PLANNING PERMIT

Permit No.	PInA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

- (e) the equalisation of public open space contributions having regard to the amount specified in the schedule to Clause 53.01 of the *Casey Planning Scheme* and the Property Specific Land Budget of the PSP;
- (f) if applicable, the prohibition of the sale of lots or vesting of reserves created prior to their embellishment/servicing having regard to the endorsed public infrastructure plan until such time as they are embellished/serviced with respect to the applicable conditions of the permit and a statement of compliance has been issued for the relevant stage in which they will be embellished/serviced, unless with the prior written consent of the Responsible Authority; and
- (g) any other matters required by the Collecting Agency or the Development Agency.

The owner/applicant must pay the reasonable costs of the Responsible Authority, Collecting Agency and Development Agency for the preparation, execution and registration of the agreement.

20. Unless with the prior written consent of the Responsible Authority, prior to the certification of the first plan of subdivision, the construction of the following *Clyde Development Contributions Plan* (the DCP) projects must have reached practical completion to the interim urban standard shown in the DCP to the satisfaction of the Responsible Authority and the Department of Transport (previously VicRoads):

- (a) Thompsons Road / Bells Road intersection (DCP Project ID IN-53-04);
- (b) Bells Road culvert over Ti Tree Creek (DCP Project ID BR-53-03);
- (c) Bells Road / St Germain Boulevard intersection (DCP Project ID IN-53-08);
- (d) Bells Road (DCP Project ID RD-53-03A) located between the Bells Road / St Germain Boulevard intersection (DCP Project ID IN-53-08) and the Bells Road / Tuckers Road intersection (DCP Project ID IN-53-11);
- (e) Bells Road / Tuckers Road intersection (DCP Project ID IN-53-11);
- (f) Tuckers Road over the Victorian Desalination Project easement (DCP Project ID BR-53-05);
- (g) Bells Road (DCP Project ID RD-53-03A) located between the Bells Road / Tuckers Road intersection (DCP Project ID IN-53-11) and the Bells Road / Hardys Road intersection (DCP Project ID IN-53-17);
- (h) Bells Road over the Victorian Desalination Project easement (DCP Project ID BR-53-06);
- (i) Bells Road / Hardys Road intersection (DCP Project ID IN-53-17); and

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (j) Bells Road (DCP Project ID RD-54-04) located between the Bells Road / Hardys Road intersection (DCP Project ID IN-53-17) and the Bells Road / Road A (20m road reserve) intersection.
21. Unless with the prior written consent of the Responsible Authority, prior to the certification of the plan of subdivision that creates the 289th dwelling lot under the permit, functional layout plans to the satisfaction of the Responsible Authority and the Department of Transport (previously VicRoads) for the following *Clyde Development Contributions Plan* intersection and road projects must be submitted to and approved by the Responsible Authority and the Department of Transport:
- (a) Bells Road (DCP Project ID RD-54-04) located between the Bells Road / Road A (20m road reserve) intersection and the Bells Road / Heather Grove intersection (DCP Project ID IN-54-03); and
- (b) the Bells Road / Heather Grove intersection (DCP Project ID IN-54-03).
22. Prior to the certification of a plan of subdivision, streets must be named to the satisfaction of the Responsible Authority.
23. Prior to the certification of a plan of subdivision, the plan of subdivision must be in accordance with the endorsed plans but modified to show to the satisfaction of the Responsible Authority and relevant servicing authorities:
- (a) All easements required by servicing authorities as well as any easements required by the Responsible Authority over any temporary drainage assets which are to be managed by the Responsible Authority.
- (b) Building envelopes and the creation of restrictions to accord with those identified on plans / documents endorsed to the permit.
- (c) Unless otherwise agreed in writing by the Responsible Authority, road reserve and court head dimensions in accordance with the Growth Area Authorities standard drawings.
- (d) Any land required to be set aside for the purpose of road widening and to be vested in Council in accordance with any relevant condition of this permit.
- (e) Any tree reserves to be vested with the City of Casey.
- (f) All bearings, distances, street names, lot numbers, lot sizes, reserves and easements.
24. Prior to the certification of any plan of subdivision, the plan must be referred to the following authorities under Section 8 of the *Subdivision Act 1988*:
- (a) APT O&M Services Pty Ltd;
- (b) AusNet Electricity Services Pty Ltd;
- (c) Country Fire Authority;

AMENDED PLANNING PERMIT

Permit No.	PInA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

- (d) Department of Transport (previously Transport for Victoria) if the plan of subdivision relates to a stage which creates a roundabout on Heather Grove (25.5m connector street);
- (e) Department of Transport (previously VicRoads);
- (f) Melbourne Water; and
- (g) South East Water.

Layout not altered

25. The subdivision as shown on the endorsed plan and any other documentation endorsed to form part of the permit must not be altered without the prior written consent of the Responsible Authority.

Staged subdivision

26. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the Responsible Authority.

Actions prior to works

27. Prior to the submission of detailed construction plans, a functional drainage layout plan for the development must be submitted to and approved by the Responsible Authority. The plan must show the provision for management of the minor and major flow (including provision for external catchment flow), the proposed alignment for pipes conveying the 20 percent annual exceedance probability (AEP) flows and the overland flow paths for the 1 percent AEP storm event. Any road or access way intended to act as a stormwater overland flow path must be shown to meet the floodway safety criteria to the satisfaction of the Responsible Authority. The floor level of each proposed lot must be to the satisfaction of the Responsible Authority.
28. Before the development starts, engineering plans and drainage computations must be submitted to and approved by the Responsible Authority. The plans must be in accordance with the approved functional drainage layout plan and include the provision of sufficient on-site stormwater detention to limit the rate of stormwater discharge to the predevelopment rate to the satisfaction of the Responsible Authority. The plans must include the provision of a gross pollutant trap (GPT) prior to any piped discharge to the Melbourne Water waterway or permanent Council sediment basin. The drainage computations must be calculated in accordance with the guidance provided in *Australian Rainfall and Runoff* 2019.
29. Before any road/drainage works associated with each stage of the subdivision start, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions. The plans must include, as relevant:

AMENDED PLANNING PERMIT

Permit No.	PInA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

-
- (a) Functional layout plans for the interim and ultimate intersection of any internal road and existing or future arterial road approved by the Responsible Authority and Department of Transport (previously VicRoads), along with the detailed design of the interim intersection;
- (b) Detailed design of any DCP road and intersection projects or other roadworks being undertaken by the development proponent external to the site to the satisfaction of the Responsible Authority and Department of Transport;
- (c) 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 incorporated *Clyde Creek Precinct Structure Plan* (Clyde Creek PSP) applying to the land but including approximately 30% of local street cross sections (including connector streets) varying from the relevant 'standard' cross section contained within the Clyde Creek PSP 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.

- (d) Alternative cross sections must ensure that:
- (i) 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 with minimal trafficable widths of:
 - 7.3 metres where cars park on both sides;
 - 5.4 metres where cars may park on one (1) side; and
 - 3.5 metres where no parking, along with 0.5 metre clearance to structures on either side. If this width applies there must be passing bays of at least 20 metres long and 6 metres wide located not more than 200 metres apart,unless otherwise agreed by the Country Fire Authority.
 - (ii) the performance characteristics of standard cross sections as they relate to pedestrian and cycle use are maintained.

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

- (iii) relevant minimum road reserve widths for the type of street as identified in the Clyde Creek PSP are maintained, unless otherwise approved by the Responsible Authority.
- (e) Traffic management devices;
- (f) Vehicle exclusion fencing where necessary;
- (g) Where a detailed construction plan contains a road identified as a bus route within the Clyde Creek PSP applying to the land, the cross section of the road must comply with the Clyde Creek PSP to the satisfaction of the Department of Transport;
- (h) Corner splays, as required, to suit the road function;
- (i) Driveway links designed to provide one (1) visitor space per lot served by the link;
- (j) Concrete footpaths and/or shared paths in accordance with the amended subdivision layout plan endorsed to form part of the permit on both sides of each roadway with the exception of the side of a road that abuts a public open space;
- (k) A vehicular crossing to each lot, except those nominated as a medium density lot or superlot on the amended subdivision layout plan endorsed to form part of the permit, designed in accordance with the Growth Areas Authority Standard Drawings unless otherwise agreed. 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. Crossovers should be:
 - (i) located on the long side of corner sites where roundabout splitter islands will hinder access.
 - (ii) located a minimum of 1 metre from any service facilities.
 - (iii) 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).
- (l) Temporary turnaround areas within the site for waste collection vehicles (8.8 metres in length) at the dead end of any road;
- (m) Temporary road connection works in accordance with the traffic management plan endorsed to form part of the permit;
- (n) Drainage systems, including:
 - (i) 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);

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (ii) features to prevent litter, sediment and oils from entering the drainage system and/or cut-off drains to intercept stormwater run-off from adjoining properties. 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;
 - (iii) measures to satisfy the objectives of “*Best Practice Environmental Management Guidelines*” (CSIRO 1999) 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 *Casey Planning Scheme* to the satisfaction of the Responsible Authority;
 - (iv) the provision of sufficient on-site stormwater detention in accordance with the approved functional drainage layout plan to limit the rate of stormwater discharge to the predevelopment rate to the satisfaction of the Responsible Authority; and
 - (v) construction details of any temporary drainage works approved by Melbourne Water and the Responsible Authority, along with details of any safety measures, edge treatments and separation distances between those works and the land being subdivided;
- (o) Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid;
 - (p) The location of street lighting;
 - (q) Any water sensitive urban design features;
 - (r) Details of any cut and fill;
 - (s) Services located in shared trenches wherever possible;
 - (t) Fibre optic conduit network throughout the subdivision; and
 - (u) All concrete and construction materials used on site must comply with AS 2159-2009 and AS 3600-2009.

The detailed construction plans must include, at the relevant stage as identified on the public infrastructure plan endorsed to form part of the permit, any lot or reserve previously created from the parent title that has yet to be embellished/serviced in accordance with the requirements of this permit.

- 30. Before approval of the engineering plan/s submitted under Section 15(1) of the *Subdivision Act 1988*, the developer must pay Council an amount equivalent to 0.75% of the estimated cost of constructing the works proposed on the engineering plan.
- 31. Before the commencement of works for a stage of subdivision, a Construction Management Plan that addresses Bushfire Risk Management must be submitted to and approved by the CFA. The Construction Management Plan must specify, amongst other things:

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (a) Measures to reduce the risk from fire within the surrounding rural landscape and protect residents from the threat of fire.
 - (b) A separation buffer, consistent with the separation distances specified in AS3959-2009, between the edge of the development and non-urban areas.
 - (c) How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.
32. 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.
33. Before the start of any landscaping works for any stage of the subdivision, a detailed landscape plan and plant schedule for that stage prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must show the proposed landscape and plant schedule for all public open space areas, including streetscapes, parkland water retention areas, buffer zones, service corridors and community uses. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plan must be generally in accordance with the fencing master plan, open space landscape master plan and street tree master plan endorsed to form part of the permit, except that the plan must show:
- (a) Existing vegetation that is approved to be retained.
 - (b) New plantings including their layout to be provided in all road, open space and tree reserves.
 - (c) A detailed plant schedule including all proposed tree, shrub, groundcover and climbing plant species.
 - (d) The proposed location and final set out of paths, areas of pavement, playgrounds, play items, structures and street furniture.
 - (e) Detailed planting and construction drawings, including site contours and any proposed changes to existing levels, including any structural elements such as retaining walls.
 - (f) Additional supporting information, such as certified structural designs or building forms.
- All species selected must be to the satisfaction of the Responsible Authority.
34. A minimum of seven (7) days prior to the commencement of street tree planting and landscaping works, the developer must notify the Responsible Authority so that surveillance of the works can be undertaken.

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

During works

35. The *Salvage and Translocation Protocol for Melbourne's Growth Corridors* (Melbourne Strategic Assessment) (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment and Primary Industries.
36. All filling on the site over 300mm must be carried out, supervised, completed and recorded in accordance with *AS 3798 – 2007 (Guidelines on earthworks for commercial and residential developments)* to specifications to the satisfaction of the Responsible Authority. The geotechnical authority responsible for supervision and testing under this condition must be independently engaged by the applicant and not be engaged by the contractor carrying out the works.
37. The land must be filled in a manner that does not:
 - (a) cause an unreasonable amount of dust to be carried onto nearby land; and,
 - (b) adversely affect the drainage of adjacent land.
38. All construction activities associated with the subdivision must be managed so as to limit any inconvenience to existing residents in the vicinity of the works to the satisfaction of the Responsible Authority. The matters to be considered include but are not limited to site access, times of operation, dust, vibration, stormwater runoff etc.
39. The works authorised by this permit must be managed so that the amenity of the area is not detrimentally affected including through the:
 - (a) Transportation of materials, goods or commodities to or from the land.
 - (b) Appearance of any building, works or materials.
 - (c) Emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil.
 - (d) Presence of vermin.

Mandatory conditions for subdivision permits required by Clause 66.01-1 of the Casey Planning Scheme

40. 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

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (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.

Actions prior to the issue of a statement of compliance for a plan of subdivision

41. Prior to the issue of a statement of compliance for any plan of subdivision, the developer must make payment to Council for the provision of community infrastructure, unless, prior to the certification of the relevant plan of subdivision, the Owner enters into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act* 1987 (the Act) and makes application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act, which provides for the payment of a Community Infrastructure Levy to Council by a future land owner in accordance with the provisions of the Development Contributions Plan applying to the land and Section 46O of the Act.

The owner/applicant must pay the Responsible Authority's costs of the preparation, execution, and registration of the Section 173 agreement.

42. A Development Infrastructure Levy in accordance with the *Clyde Development Contributions Plan* must be paid to the Collecting Agency for the land after the certification of the relevant plan of subdivision but not more than 21 days prior to the issue of a Statement of Compliance with respect to that plan.
43. Where the subdivision is to be developed in stages, the Development Infrastructure Levy for the stage to be developed may only be paid to the Collecting Agency within 21 days prior to the issue of a Statement of Compliance for the plan of subdivision for that stage provided that a Schedule of Development Contributions is submitted with each stage of the plan of subdivision. This Schedule must show the amount of the development contributions payable for each stage and the value of the contributions for prior stages to the satisfaction of the Collecting Agency.
44. If the Collecting Agency agrees to works or provision of land in lieu of the payment of the Development Infrastructure Levy, the Owner must enter into an agreement under Section 173 of the *Planning and Environment Act* 1987 in respect of the proposed works or provision of land in lieu to specify implementation requirements.
45. Prior to the issue of a statement of compliance for any plan of subdivision, a public open space contribution must be provided in accordance with the Schedule to Clause 53.01 of the *Casey Planning Scheme* in a manner consistent with the *Clyde Creek Precinct Structure Plan* and the terms of any Section 173 Agreement required/prepared under this permit.
46. Prior to the issue of a statement of compliance for any plan of subdivision, further to the public open space contribution required by Clause 53.01 of the *Casey Planning Scheme*, a public open space contribution must be made as follows:

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (a) Where public open space shown on the lot in Plan 5 and specified in Table 1 of the *Clyde Creek Precinct Structure Plan* is equal to 3.99% of the lot's net developable area (NDA) that land must be transferred to Council at no cost to Council.
- (b) Where a public open space shown on the lot in Plan 5 and specified in Table 1 of this structure plan is equal to 3.99% or less than 3.99% of the lot's NDA:
- (i) the relevant land must be transferred to Council at no cost to Council; and
- (ii) a cash contribution is to be made to Council to bring the total public open space contribution to a value equal to 3.99% of NDA.
- (c) Where public open space shown on the land in Plan 5 and specified in Table 1 of the *Clyde Creek Precinct Structure Plan* is greater than 3.99% of the lot's NDA, the relevant land must be transferred to Council at no cost to Council. In this case Council will compensate the landowner, at a time to be agreed, for the amount of land provided in excess of 3.99% but no greater than difference between 3.99% and the amount of land shown as local park on Plan 5.
47. Prior to the issue of a statement of compliance for any plan of subdivision under the *Subdivision Act 1988*, the developer must pay Council an amount equivalent to 2.5% of the estimated cost of the works which are subject to supervision in accordance with Section 17(2)(b) of the *Subdivision Act 1988*.
48. Prior to the issue of a statement of compliance for any plan of subdivision which proposes to vest land in Council, the Owner must provide Council with written evidence from the State Revenue Office or Victorian Planning Authority which demonstrates that there will be no Growth Areas Infrastructure Contribution liability in respect of any land to be vested in Council on that plan, or, alternatively, evidence of payment of that Contribution to the satisfaction of the Responsible Authority must be provided prior to the issue of a Statement of Compliance for the relevant stage in which the land will be embellished/serviced in accordance with the endorsed public infrastructure plan.
49. Before the issue of a Statement of Compliance for a plan of subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation that:
- (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 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.
50. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the developer must construct in accordance with the approved detailed construction plan/s and to the satisfaction of the Responsible Authority:
-

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (a) Roads, including traffic management devices, kerb and channel, footpaths, shared foot/cycle paths and vehicular crossings to each lot;
 - (b) Drainage and any water sensitive urban design features;
 - (c) Fibre optic conduits;
 - (d) Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid;
 - (e) Temporary turnaround areas;
 - (f) Any tree protection fencing; and
 - (g) Lighting of roads and pedestrian/cycle paths designed and provided in accordance with Australian Standard 1158.1.
51. Before the issue of a Statement of Compliance for any plan of subdivision, the developer must provide to the Responsible Authority:
- (a) Copies of the “as constructed” engineering roads and drainage drawings in the format of one A1 tracing per drawing.
 - (b) Survey enhanced “as constructed” digital data for all assets that will become the responsibility of Council, in accordance with the relevant current A-Spec specification. These specifications and supporting information are available from www.dspeg.com.au. Council’s preferred format for the submission of the data is “MapInfo Native Format”. A secondary format is “MapInfo MID/MIF”. Grid Coordinates must be MGA Zone 55 (GDA 94).
 - (c) Sketches of the details of the permanent survey marks.
52. Prior to the issue of a Statement of Compliance for the relevant plan of subdivision, fees must be paid to the Responsible Authority to cover the costs of 10 years of maintenance of the traffic signals associated with any signalised intersection with Bells Road or Hardys Road if these signals are to be delivered as part of the permitted subdivision. The applicable fee is to be in line with “*VicRoads Standard Requirements — Developer Funded Projects*” to the satisfaction of the Responsible Authority.
53. Prior to the issue of a statement of compliance for a plan of subdivision, compaction test results and a report must be provided to the satisfaction of the Responsible Authority.
54. Prior to the issue of a statement of compliance for a plan of subdivision, each lot must be drained to the satisfaction of the Responsible Authority.

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

-
55. Prior to the issue of a statement of compliance for a plan of subdivision, a maintenance management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must address all Water Sensitive Urban Design infrastructure including, but not limited to, wetlands, sediment basins, retarding basins, swales, bio-retention basins and gross pollutant traps and specifically include:
- (a) a schedule of assets, including both temporary and permanent assets;
 - (b) a maintenance regime for the maintenance period, which is the life of the development or two (2) years, whichever is greater;
 - (c) a record of the maintenance works undertaken during the maintenance period must be submitted to Council prior to handover; and
 - (d) the ongoing Council maintenance responsibilities once a certificate of final completion is issued.
56. Prior to the issue of the statement of compliance for the first plan of subdivision, the construction of the Bells Road / Road A (20m road reserve) intersection must have reached practical completion to the satisfaction of the Responsible Authority and Department of Transport (previously VicRoads).
57. Prior to the issue of a statement of compliance for a plan of subdivision, or such later date as approved in writing by the Responsible Authority, all public open space areas, including, parklands, water retention areas, buffer zones, service corridors, community use areas and all streetscapes including road and tree reserves must be landscaped and planted as shown on the approved detailed landscape plan and plant schedule, or bonded, to the satisfaction of the Responsible Authority.
58. Unless with the prior written consent of the Responsible Authority, prior to the issue of a statement of compliance for a plan of subdivision creating a dwelling lot adjoining any tree reserve, the fencing located on the common boundary of a dwelling lot with the tree reserve shown on the approved detailed landscape plan and plant schedule must be installed to the satisfaction of the Responsible Authority.
59. Prior to the issue of a statement of compliance for a plan of subdivision, the developer must provide to the Responsible Authority A-Spec digital documentation for all public open space areas and all streetscapes.
60. Prior to the issue of a statement of compliance for the first plan of subdivision that vests road reserve that intersects with Pound Road with Casey City Council, or, creates a dwelling lot that adjoins Pound Road, the closure of Pound Road in accordance with the approved traffic management plan endorsed to form part of the permit must be completed to the satisfaction of the Responsible Authority.

AMENDED PLANNING PERMIT

Permit No.	PInA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

-
61. Prior to the issue of a statement of compliance for the first plan of subdivision that vests road reserve that intersects with Pound Road with Casey City Council, or, creates a dwelling lot that adjoins Pound Road, the construction of the temporary road connection must be practically complete in accordance with the approved detailed construction plan/s to the satisfaction of the Responsible Authority.
62. Unless with the prior written consent of the Responsible Authority, prior to the issue of the statement of compliance for the plan of subdivision that creates the 289th dwelling lot under the permit, the following *Clyde Development Contributions Plan* (the DCP) projects must have reached practical completion to the interim urban standard shown in the DCP to the satisfaction of the Responsible Authority and Department of Transport (previously VicRoads):
- (a) Bells Road (DCP Project ID RD-54-04) located between the Bells Road / Road A (20m road reserve) intersection and the Bells Road / Heather Grove intersection (DCP Project ID IN-54-03); and
 - (b) the Bells Road / Heather Grove intersection (DCP Project ID IN-54-03).
63. 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;
 - (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.
64. Prior to the issue of a Statement of Compliance for a plan of subdivision, all existing above ground electricity cables of less than 66kV voltage must be placed underground as part of the upgrade of existing roads at the cost of the developer and to the satisfaction of the Responsible Authority and relevant authority.
65. Prior to the issue of a Statement of Compliance for a plan of subdivision, all new electricity supply infrastructure (excluding substations and cables of a voltage 66kV or greater) must be provided underground.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

Conditions and requirements of the *Clyde Creek Precinct Structure Plan*

66. Land required for public open space as a local or district park, as set out in the *Clyde Creek 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*.
67. 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 as 'road' in the Roads Corporation (in the case of land for arterial roads under the *Road Management Act 2004*) or in Casey City Council (in the case of other roads) at no cost to the acquiring agency unless funded by the *Clyde Development Contributions Plan* or unless that land is included within a Public Acquisition Overlay in the planning scheme. For the purpose of this clause road widening includes the widening of the road reserve required to provide right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road to the satisfaction of the Roads Corporation.
68. Subject to South East Water agreeing to do so, the developer must enter into an agreement with South East Water requiring the subdivision to be reticulated with a dual pipe recycled water system to provide for the supply of recycled water from a suitable source or scheme to all lots and open space reserves within the subdivision.

Landscape planning

69. The landscaping constructed in accordance with the approved detailed landscape plan and plant schedule must be maintained to the satisfaction of the Responsible Authority, for a period of 24 months, or other period as approved in writing by the Responsible Authority, following the granting of practical completion of the approved detailed landscape plan and plant schedule works.
70. Where a tree reserve is required to be created, the tree reserve must be shown as vesting in Casey City Council by a registered plan of subdivision at no cost to Council.

Reticulated services

71. Reticulated water supply, drainage, sewerage facilities and underground electricity, gas and telecommunication services including fibre optic cable conduits must be provided to each lot shown on the amended subdivision layout plan endorsed to form part of the permit.
72. Where a conduit crosses private land, an easement may be required in favour of the relevant authority.

Roads and traffic

73. The developer must provide the allocated street number on the kerb in front of each lot. The kerbside numbers must be 100mm white lettering on a black background located on the front of the kerb at the property frontage to the satisfaction of the Responsible Authority.

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

74. The temporary road connection must be maintained in accordance with the approved traffic management plan endorsed to form part of the permit at no cost to the Responsible Authority to the satisfaction of the Responsible Authority.

Temporary turning areas

75. Any temporary turning areas constructed in accordance with the detailed construction plans approved by the Responsible Authority must be maintained to the satisfaction of the Responsible Authority.
76. If the temporary turning area is to be retained after the relevant statement of compliance is issued, a bond of sufficient value to cover all reinstatement works must be lodged with the Responsible Authority before the statement of compliance is issued.
77. All works undertaken for a temporary turning area must be removed and all affected road pavement, concrete works, nature strips and other land must be reinstated to the satisfaction of the Responsible Authority when the turning area is no longer required.
78. A sign of at least 1 square metre in area must be displayed in a prominent position near the temporary turning area whilst the temporary turning areas are in operation advising that they are temporary turning areas only. The sign must be removed after the temporary turning areas are removed.

Utility service substation / kiosk sites

79. Unless otherwise agreed by the Responsible Authority, utility service substation / kiosk sites must not be located on any land identified as public open space or to be used for any Municipal purpose.

Referral authority conditions

APA Group

80. Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.

AusNet Electricity Services

81. The applicant must –
- (a) Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
 - (b) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (c) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for 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 AUSNET ELECTRICITY SERVICES PTY LTD.
- (d) Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the *Electricity Industry Act 2000*, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- (e) Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- (f) Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement 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 AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- (h) Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES 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* prior to the registration of the plan of subdivision.
- (i) Provide to AUSNET ELECTRICITY SERVICES 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 AUSNET ELECTRICITY SERVICES 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 AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

Country Fire Authority

Hydrants

82. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- (b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Roads

- 83. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- 84. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- 85. Curves must have a minimum inner radius of 10 metres.
- 86. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- 87. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Department of Transport (previously Transport for Victoria)

- 88. The signalised intersection at Bells Road and Heather Grove must be designed to accommodate public transport access in accordance with the *Public Transport Guidelines for Land Use and Development* and include bus priority measures so as to mitigate any delays to bus travel times to the satisfaction of the Department of Transport.
- 89. Any roundabouts constructed on roads designated a future public transport route within the subdivision, must be designed to accommodate ultra-low floor buses, to the satisfaction of the Department of Transport.
- 90. Intersections, slow points, splitter islands and any other local area traffic management treatments must be designed and constructed in accordance with the *Public Transport Guidelines for Land Use and Development*. The use of speed humps, raised platforms, one-way road narrowing and 'weave points' must not be constructed on any portion of a road identified as a potential bus route.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

91. Cross Sections for roads identified as potential bus routes must be in accordance with the approved cross sections within the *Clyde Creek Precinct Structure Plan*. Any alteration to the approved cross sections in the *Clyde Creek Precinct Structure Plan* must be referred to Department of Transport for approval.

Department of Transport (previously VicRoads)

92. ***DELETED***

93. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the certification of the **first** plan of subdivision under the permit, fully dimensioned Functional Layout Plans (FLP), for both interim and ultimate arrangements for the following intersections must be submitted to DoT and approved by DoT, the Responsible Authority, and Water and Catchments, in accordance with the relevant Precinct Structure Plan, for the following intersections:

- (a) IN 53-17 (Bells/Hardys)
- (b) Additional Bells Road /Road A (20m) intersection with its interim arrangement providing for full turning movements and ultimate arrangement being restricted to left-in/ left-out movements only.

The interim stage FLP's are to include a functional stage Road Safety Audit (RSA).

94. Subsequent to the approval of the FLP's by Head, Transport for Victoria and prior to the commencement of any roadworks, traffic signal plans where appropriate, including signage and line marking plans, together with public lighting plans are to be prepared for the following intersections:

- (a) IN 53-17 (Bells/Hardys)
- (b) Additional Bells Road /Road A (20m) intersection

95. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior the issue of a Statement of Compliance for the relevant stage of the subdivision, all roadworks as per the approved Functional Layout Plans must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria.

96. ***DELETED***

97. Where the proposed roadworks, including footpath and nature strip, lie within private property, a widening of the road reserve will be required, at no cost to the Head, Transport for Victoria or the Responsible Authority. The permit holder must engage a licensed surveyor to prepare a Plan of Subdivision and submit to the Responsible Authority for Certification under the *Subdivision Act 1988* to show:

- (a) any land set aside as Road labelled as 'ROAD' on the Plan of Subdivision,

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

- (b) all land to be vested as road or reserve, for which the Responsible Authority is to be Responsible, must be vested in the name of Responsible Authority where appropriate, upon certification of the Plan of Subdivision, without any encumbrances.

98. Work must not commence in, on, under or over the road reserve without having first obtained all necessary approval under the *Road Management Act* 2004, the *Road Safety Act* 1986, and any other relevant Acts or Regulations created under those Acts.

Melbourne Water

99. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
100. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses. Prior to the issue of a Statement of Compliance for the subdivision, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
101. Prior to Certification of any Plan of Subdivision associated with the application and prior to the approval of the development and staging plans, a stormwater management strategy including associated modelling must be submitted by application to Melbourne Water and approved by Melbourne Water and Casey City Council. The strategy must demonstrate the following:
- (a) The proposed alignment for any 20% AEP drainage infrastructure and any associated overland flow paths directions for the 1% AEP flood event;
 - (b) That the lot layout adequately accommodates the overland flows and the current layout and/or number of lots may need to change.
 - (c) The details of the outfall/s for the development and calculates the appropriate flow volumes and flood levels for the 1% AEP storm event within the property;
102. By compliance with Melbourne Water's Muddy Gates Drainage Scheme Stormwater runoff from the subdivision must achieve *State Environment Protection Policy (Waters of Victoria)* objectives for environmental management of stormwater as set out in the '*Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO) 1999'.
103. Prior to the issue of a Statement of Compliance for the subdivision, engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 1% AEP storm event.
104. All new lots are to be filled to a minimum of 300mm above the 1% AEP flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1% AEP flood level associated with any existing or proposed Melbourne Water waterway.

AMENDED PLANNING PERMIT

Permit No.	PlnA00571/19
Planning scheme	Casey Planning Scheme
Responsible authority	City of Casey

-
105. Prior to the issue of a Statement of Compliance for the subdivision, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
106. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
107. The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
108. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined in section 8 of the *Guidelines for Development in Flood Affected Areas* (DELWP 2019).
109. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
110. The developer is to negotiate with any downstream landowners to obtain a free draining outfall through their property. Approval is to be forwarded to Melbourne Water for our records prior to construction commencing.
111. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).
112. Prior to the issue of a Statement of Compliance for the subdivision, 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.

South East Water

Potable water

113. The owner of the subject land must enter into an agreement with South East Water for the provision of drinking water supply and fulfil all requirements to its satisfaction.

Sewer

114. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.

General

115. All lots on the Plan of Subdivision are to be provided with separate connections to our drinking water supply and sewerage systems.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

116. The certified Plan of Subdivision will need to show sewerage supply easements over all existing and/or proposed South East Water sewer mains located within the land, to be in favour of South East Water Corporation pursuant to Section 12(1) of the *Subdivision Act*.

Expiry of permit

117. The permit will expire if:

- (a) The subdivision is not started within **two (2) years** of the date of this permit; or,
- (b) The subdivision is not completed within **five (5) years** from the date of starting.

Where the subdivision is to be developed in stages, the time specified for the commencement of the first stage is two years from the date of this permit. The time specified for the commencement of any subsequent stage is ten years from the date of this permit and the time specified for the completion of each stage is five years from the date of its commencement.

The Responsible Authority may extend the commencement periods referred to if a request is made in writing before the permit expires or within six months after the expiry date.

NOTES:

AusNet Electricity Services

It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).

Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.

Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

City of Casey

- 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.

Department of Environment, Land, Water and Planning

Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020

The Owner of the land subject to the permit must pay an *environment mitigation levy* to the

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

Department of Environment, Land, Water and Planning at the relevant *levy event* pursuant to the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Director, Victorian Desalination Project, Water and Catchments

Whilst this application does not propose development over the Victorian Desalination Project (VDP) easement, the Department of Environment, Land, Water and Planning requires that the proposed development at the interface with the VDP easement be designed to ensure that future development on the adjacent land containing the VDP easement will not require the existing surface level on the VDP easement land to be modified (either by increasing the surface level or decreasing the surface level).

Department of Transport (previously VicRoads)

The Road Safety Audit must be undertaken by an independent VicRoads prequalified road safety auditor and be conducted in accordance with *Austroads – Road Safety Audit* (Second Edition 2002) requirements. Any identified issues must be addressed to the satisfaction of and at no cost to the Head, Transport for Victoria.

Melbourne Water

To find out more information in regards to building in flood prone areas please visit our website for more information.

South East Water

The owner of the subject land is required to obtain a 'Notice of Agreement' from South East Water. All requirements must be fulfilled to its satisfaction prior to South East Water consenting to the issuing of a Statement of Compliance.

AGREEMENT OPTIONS

The following South East Water agreement options are available:

- 1) Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development
- 2) Application For Notice of Agreement Subdivision-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building)
- 3) Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e. building prior to subdivision)

To lodge an application please visit our website: www.southeastwater.com.au.

AMENDED PLANNING PERMIT

Permit No. PInA00571/19
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment	Brief Description of Amendment	Name of responsible authority that approved the amendment
12 October 2022 (App Ref PPA22-0113)	The permit has been amended under Section 72 of the <i>Planning and Environment Act 1987</i> by <ul style="list-style-type: none">Condition 92 and 96 Deleted	City of Casey

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: Frasers Property Australia (Residential)
C/- Beveridge Williams & Co (Melbourne)
PO Box 61
MALVERN VIC 3144

Date issued: 7 August 2020
Date Amended: 12 October 2022
Page 39 of 40

Signature for the responsible authority Digitally Signed by dbiggs
sheet 39 of 40

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.