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# AMENDED PLANNING PERMIT

**Planning Permit No: PLN20/0333**

**Greater Dandenong City Council (Responsible Authority)**

**Greater Dandenong Planning Scheme**

**ADDRESS OF THE LAND:** 15-29 Coomoora Road  
SPRINGVALE SOUTH VIC 3172  
(Lot 1 PS 647548 Vol 11499 Fol 035)

**THE PERMIT ALLOWS:** Staged subdivision of the land, creation of reserves (R-1 and R-2), creation of an easement; and the removal of native vegetation

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

**This permit has been amended as follows:**

<b>Date of issue of amendment</b>	<b>Amendment Reference No.</b>	<b>Brief description of amendment</b>
22 October 2021	PLA21/0081	Amendment to Permit Preamble and conditions pursuant to Section 72 of the Act  Amendment pursuant to Section 72 of the Act to allow for the removal of native vegetation involving: <ul style="list-style-type: none"> <li>• One (1) patch identified as Trees Nos. 110 – 122 (inclusive) in the DPO13; and</li> <li>• One (1) scattered tree identified as Tress No. 124 in the DPO13</li> </ul>
21 June 2024	PLA24/0045	Amendment and Endorsement of Plans and Documents pursuant to Section 72 of the Act.
15 October 2024	PLA24/0094	Deletion of Condition 14 and 10.3 pursuant to Section 72 of the Act  Amendment of Condition 4, 10 and 13 pursuant to Section 72 of the Act.  Addition of Condition 4a pursuant to Section 72 of the Act.  Amendment and Endorsement of Staging Plan pursuant to Section 72 of the Act

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Conditions Continued

1. Prior to the endorsement of plans and prior to the certification of the plan of subdivision under the *Subdivision Act 1988*, one (1) copy of an amended plan drawn to scale and dimensioned must be submitted to the Responsible Authority for approval. When approved the plan will be endorsed, and then form part of this permit.

The plan must be drawn to scale and must be in accordance with the plan submitted with the application but modified to show:

- 1.1. Any changes as required by Condition 37;
- 1.2. All areas of public open space identified within Development Plan 15–29 Coomoora Road, Springvale South approved on 25/05/2020 to be shown as a reserve to be vested in Council;
- 1.3. Relocation of Reserve No.2 (Substation) to be within three (3) metres of the eastern boundary of the lot or a location agreed to by the Responsible Authority;
- 1.4. Identification of all proposed roads including road widths and materiality, visitor car parking areas within the Common Property area, the location of driveway access points to lots 1-16 (inclusive) including widths and common property open space areas;
- 1.5. Tree Protection Envelopes consistent with the Tree Management Report required by Condition 37 of this Permit.

All to the satisfaction of the Responsible Authority.

2. The subdivision as shown on the endorsed plans must not be altered, unless with the written consent of the Responsible Authority.

**Certification:**

3. Before the plan of subdivision is certified under the Subdivision Act 1988 for stage one (1) of the subdivision, a detailed landscape plan for all common property areas and public open space areas must be prepared by a person suitably qualified or experienced in landscape design and must be submitted to the satisfaction of, and approved by the Responsible Authority. When approved, the detailed Landscape plan will be endorsed and will then form part of the permit. The detailed Landscape Plan must be drawn to scale with dimensions and comply with Councils Open Space Strategy with regards to assets included and must show:

- 3.1. A survey, including botanical names, of all existing trees to be retained and removed.
- 3.2. Accurate location and TPZs of all trees to be retained including existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the public open space.
- 3.3. All proposed earthworks (cut and fill).
- 3.4. Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the public open space.

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Conditions Continued

- 3.5. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the Responsible Authority.
- 3.6. Details of surface finishes of pathways.
- 3.7. Landscaping and planting within all open areas of the public open space.
- 3.8. Canopy trees (minimum 2 metres tall when planted) in all open space areas.
- 3.9. Details & location of any fencing.
- 3.10. Details & location of any structures & treatments such as gateway structures, signage, bollards etc.
- 3.11. Lighting to be designed in accordance with AS/NZS 1158.
- 3.12. Detailed drawings of all assets and or reference to council standard designs/drawings in relation to:
  - i. Bollards
  - ii. Gates
  - iii. Fencing
  - iv. Turf
  - v. Mulch
  - vi. Soils
  - vii. Irrigation
  - viii. Park furniture (seats, shelters, BBQ's etc.)
  - ix. Drainage
  - x. Gardens (native preference)
  - xi. Park Trees
  - xii. Street Trees
  - xiii. Nature strips
  - xiv. Play equipment
  - xv. Pathways and driveways

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Conditions Continued

- 4. Before the plan of subdivision for the second stage in the sequence of the subdivision is certified under the Subdivision Act 1988 a Landscape Maintenance Plan for the areas of public open space must be prepared by a suitably qualified person and must be submitted to and approved by the Responsible Authority. The maintenance plan must detail the public open space landscaping to incur a 3 year developer maintenance period. When approved, the Landscape Maintenance Plan will be endorsed and will then form part of the permit.
- 4a. Before the plan of subdivision for the final stage in the sequence of the subdivision is certified under the Subdivision Act 1988 a Landscape Maintenance Plan for the areas of communal open space within the common property must be prepared by a suitably qualified person and must be submitted to and approved by the Responsible Authority. The maintenance plan must detail the areas to be maintained and be adopted by the Owners Corporation responsible for their ongoing maintenance. When approved, the Landscape Maintenance Plan will be endorsed and will then form part of the permit.
- 5. Before the plan of subdivision is certified under the Subdivision Act 1988 for stage one (1) of the subdivision, the area of land for public open space (reserve) must be indicated on the plan of subdivision as a reserve to be vested in Council.
- 6. Prior to the certification of the Plan of Subdivision, approved building envelopes for lots 1 to 16 (inclusive) and tree protection envelopes must be created as a restriction on the Plan of Subdivision or be applied through an agreement with the Responsible Authority under Section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:
  - 6.1. The building envelope plan to apply to each relevant lot and be provided in accordance with the building envelopes shown on the approved Development Plan 15–29 Coomoora Road, Springvale South approved on 25/05/2020 or any subsequent or amended Development Plan;
  - 6.2. All buildings must be located within the building envelope on the relevant lot;
  - 6.3. The construction of a building outside the building envelope only with the written consent of the Responsible Authority;
  - 6.4. Tree protection envelopes consistent with the endorsed Tree Management Report;
  - 6.5. The owner must pay the Responsible Authority’s costs of the preparation, negotiation and execution of the agreement or covenant required by this condition; and the registration of the agreement on the title.
- 7. Prior to the certification of the Plan of Subdivision, a Memorandum of Common Provisions (MCP) must be prepared in relation to Lots 1-16, submitted to and approved by the Responsible Authority. Once approved, the MCP must be registered as a restriction on the relevant Plan of Subdivision. The MCP must include the following:
  - 7.1. Lots 1-16 (inclusive) to be provided with a one (1) metre side setback from one (1) side boundary;

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Conditions Continued

- 7.2. Lots 1 to 16 (inclusive) must not be further subdivided and must be developed within four (4) years of settlement;
- 7.3. Lots 1 to 16 (inclusive) must not be developed with more than one (1) detached dwelling on each lot and to be no more than two stories in height;
- 7.4. The garage door of dwellings located on Lots 1 to 16 (inclusive) must not be less than five (5) metres from the front boundary with the common property;
- 7.5. Not less than two (2) car parking spaces are to be provided to each dwelling on lots 1 to 16 (inclusive) with no more than one (1) double garage;
- 7.6. The privacy of adjoining areas of secluded private open space and habitable room windows must be protected in accordance with Standard A15 at Clause 54.04-6 of the Greater Dandenong Planning Scheme;
- 7.7. Blank and windowless walls must not be provided on the southern elevation of any dwelling on Lot 1 and Lot 5, and on the northern elevation of any dwelling on Lot 4;
- 7.8. Dwellings located on Lots 1 to 16 (inclusive) must not provide less than 60 square metres of total private open space, including one part provided as secluded private open space to the side or rear of the dwelling, with an area of at least 40 square metres and a minimum dimension of 5 metres;
- 7.9. Any fence on the south boundary of Lot 1 and Lot 5 and on the northern boundary of Lot 4 must not be located within 3 metres of the front building line of the dwelling on that lot and be of a high quality design;
- 7.10. A maximum of 50% of the fencing along south boundary of Lot 1 and Lot 5 and on the northern boundary of Lot 4, must be solid, with the remainder to be visually permeable. Fencing required to provide privacy to areas of secluded private open space is excluded from this calculation;
- 7.11. Any fence forward of the front elevation, including along the front boundary of lots 1-16 Inclusive must have a maximum height of no more than 1.2 metres;
- 7.12. At least one canopy tree must be planted in the secluded private open space to each dwelling on lots 1-16 (inclusive), to the satisfaction of the City of Greater Dandenong;
- 7.13. Roof forms of dwellings on lots 1-16 (inclusive) should be oriented towards the north generally, and to consider accommodating solar panels;
- 7.14. Each dwelling on lots 1-16 (inclusive) must be provided with an external, folding clothesline within the secluded private open space and location such that it is not visible from the public realm, including common roads and common open space;
- 7.15. All dwelling services on lots 1-16 (inclusive) must be located and / or screened to avoid visibility from the public realm, including common roads and common open space;
- 7.16. All dwellings on lots 1-16 (inclusive) must be provided with at least 6 cubic metres of external and secure storage (this may include within the garage);

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Conditions Continued

- 7.17. Bin storage areas / enclosures on lots 1-16 (inclusive) must not be located within the front setbacks; and
- 7.18. All dwellings must not be developed without being in accordance with the approved Development Plan 15–29 Coomoora Road, Springvale South approved on 25/05/2020 or any subsequent or amended Development Plan.

All to the satisfaction of the Responsible Authority.

- 8. Prior to the certification of the Plan of Subdivision for the first stage of subdivision, a restriction must be nominated on the plan of subdivision for Lots 1 to 16, S2, S3, S4 and S5 (inclusive), which:
  - 8.1. Prohibits vehicle access and egress from Teddy Crescent unless with the further written consent of the Responsible Authority; and
  - 8.2. In accordance with the requirements of Condition 37 of this Planning Permit, protects the retained trees located within the Common Property area, Lot 16, and for all trees on neighbouring properties to the east where any part of the Tree Protection Zone falls within the subject site.
- 9. Before the plan of subdivision is certified under the *Subdivision Act 1988*, a Drainage Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then will form part of the permit. The plan must be prepared by a suitably qualified person and drawn to scale with dimensions.
- 10. Before the plan of subdivision is certified under the *Subdivision Act 1988* for the first stage of the subdivision, a staging plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The staging plan must detail the stage number of each plan of subdivision and the sequence in which they will occur. When approved, the Staging Plan will be endorsed and will then form part of the permit.
  - 10.1. Stage one (1) of the subdivision must be first in the sequence and include Lots 1-16 (inclusive), the areas of common property that contain the internal road network for the development, and all areas of public open space.
  - 10.2. The final stage of the sequence of the subdivision must include any areas of common property that contain open space and any road landscaping treatments that have not been included in a previous stage.
  - 10.3. Deleted

The subdivision must proceed in the sequence as shown on the endorsed Staging Plan unless otherwise agreed in writing by the Responsible Authority.

**Statement of Compliance**

- 11. Before a Statement of Compliance is issued under the *Subdivision Act 1988*, the owner of the land must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority, to provide for the following:

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Conditions Continued

- 11.1. The engagement of a waste contractor to collect and dispose of waste generated on site, including all commercial, domestic and recyclable waste.
- 11.2. Except with the written consent of Council, the collection of refuse and recyclable materials must only occur between the hours of:
  - 7am and 7pm – Monday to Saturday
  - 9am and 6pm – Sundays and Public Holidays
- 11.3. All owners and occupiers associated with the development forfeit the right to utilise the municipal domestic waste collection service, unless otherwise agreed by the Responsible Authority in writing.
- 11.4. The agreement is to be applied to each subsequent lot title created from the parent title.
- 11.5. The owner/s of the land to be responsible for the cost of preparing, executing and registering the Agreement on the Certificate of Title to the land (including costs incurred by the Responsible Authority).
12. Before the issue of a Statement of Compliance under the Subdivision Act 1988 for Stage one (1) of the subdivision:
  - 12.1. Common Property No. 1 must have compliant private road names and road type approved by the Responsible Authority. Professionally manufactured signage must be erected for the Private Road within 30 days of the name being gazetted and registered or within 30 days of being notified by The Office of Geographic Names.
  - 12.2. The landscaping works shown on the endorsed detailed Landscape Plan for the public open space must be carried out and completed to the satisfaction of the responsible authority and at no cost to the responsible authority;
  - 12.3. All fencing located on the south boundary of Lot 1 and Lot 5 and on the northern boundary of Lot 4 must be constructed to the satisfaction of the Responsible Authority;
  - 12.4. The area of land for public open space (reserve) must be vested in Council and registered with the Land Titles Office or at a time agreed to by the Responsible Authority;
  - 12.5. All works associated with the common property road and public open space must be completed to the satisfaction of the Responsible Authority or as agreed to by the Responsible Authority;
  - 12.6. The proposed drainage works for the development must be completed in accordance with the approved plans to the satisfaction of the Responsible Authority; and
  - 12.7. All works required by the Asset Protection Permit have been complete to the satisfaction of the Responsible Authority.

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Conditions Continued

13. Before the issue of a Statement of Compliance under the Subdivision Act 1988 for the final stage in the sequence of the subdivision:
  - 13.1. The landscaping works shown on the endorsed detailed Landscape Plan for the common open space areas and any road landscaping treatments must be carried out and completed to the satisfaction of the responsible authority and at no cost to the responsible authority.
14. *Deleted.*
15. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - 15.1. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - 15.2. 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.

**General Conditions**

16. All works associated with the subdivision must at all times be carried out in accordance with the conditions and requirements set out in the endorsed documents, with the endorsed documents being provided to all contractors working on the site prior to commencement of any works on the subdivision as relevant.
17. All proposed easements and sites for existing or required utility services and roads must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is created.
18. During construction periods and afterwards, until the land is occupied, the owner must provide adequate precautions to prevent the emission of dust, land vibration and storm water runoff from the land, all to the satisfaction of the Responsible Authority.
19. The owner shall obtain and where directed install street numbers for each of the lots shown on the Plan of Subdivision from Council to the satisfaction of Responsible Authority
20. Prior to the commencement of any works and before any vegetation is removed, a Site Environmental Management Plan (SEMP) for each stage of the subdivision 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 in accordance with the Council Specification Series, Construction, in particular Sections 211 Control of Erosion and Sedimentation; 212 Clearing and Grubbing and 213 Earthworks and must show:
  - 20.1. The goals and objectives of the SEMP.

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Conditions Continued

- 20.2. A Vegetation Management Plan that provides the details of management, protection and rehabilitation of vegetation to be retained.
- 20.3. Measures to be taken to ensure minimal disturbance to native flora and fauna, including the provision of buffers.
- 20.4. Erosion, siltration, dust, run-off and litter controls during construction.
- 20.5. All access provisions into and throughout the land by vehicles, including waste collection vehicles.
- 20.6. Detail methods of restricting land access to pedestrians and vehicles not related to works permitted under this permit.
- 20.7. Detail the method of protecting any reserve areas to be vested in the Responsible Authority until such time as the reserve is developed.
- 20.8. Any other matters as required by the Responsible Authority.

The provisions, recommendations and requirements of the endorsed SEMP must be implemented and complied with to the satisfaction of the Responsible Authority.

- 21. Prior to the commencement of any works and before any vegetation is removed, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Construction Management Plan must address, but is not limited to:
  - 21.1. Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
  - 21.2. All Traffic Management Plans for the site demolition, excavation, deliveries and other construction related activities that will affect vehicle and pedestrian traffic;
  - 21.3. The location of all areas on-site and off-site to be used for construction staff parking;
  - 21.4. A Parking Management Plan for all associated construction vehicles;
  - 21.5. All site sheds, portable toilet, storage and materials, etc. must be confined to the land;
  - 21.6. The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises;
  - 21.7. A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways;
  - 21.8. No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the land;

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Conditions Continued

- 21.9. All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
- 21.10. The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the land;
- 21.11. No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system; and
- 21.12. The detailed description of the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority including the tree protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the responsible authority.

When approved, the Construction Management Plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 22. Prior to the commencement of any works, the following must be provided to, and approved by the Responsible Authority:
  - 22.1. A functional layout plan detailing the road network with a typical crossing section of the proposed roads within the development.
  - 22.2. Three (1) A1 sized sets of Subdivision Design Drawings, plus an electronic copy in DXF or AutoCAD DWG format must be submitted to the Responsible Authority for approval. Civil works in the public open space area to be in accordance with the City of Greater Dandenong’s Subdivision Design Manual, unless otherwise approved by the Responsible Authority.
- 23. Where required, the land must be filled to the satisfaction of the Responsible Authority and the extent, depth and final surface levels of such filling must be approved by the Responsible Authority. Only clean fill approved by the Responsible Authority shall be used on the land.
- 24. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
- 25. The connection of the internal drainage infrastructure to the LPD must be to the satisfaction of the Responsible Authority.
- 26. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the LPD approval letter. Approval of drainage plan including any retention system within the property boundary is required.

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Conditions Continued

27. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority and any redundant vehicle crossing will need to be removed and reinstate with kerb in accordance with Council Standards.
28. Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council
29. The owner of the land must enter into an agreement with:
  - 29.1. 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
  - 29.2. 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.
30. Provision must be made for the drainage of each lot shown on the approved Plan of Subdivision in accordance with plans and specifications to be submitted to and approved by the Responsible Authority, prior to occupation of the site, all to the satisfaction of the Responsible Authority.

**United Energy Conditions:**

31. Enter into an agreement with United Energy Distribution Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
32. Provide electricity easements internal and external to the subdivision in favour of United Energy Distribution Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by United Energy Distribution Pty Ltd. The provision of reserves for electricity substations may also be required.

**South East Water Conditions:**

33. 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.
34. 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.

**Fire Rescue Victoria:**

35. The subdivision as shown on the endorsed plans must not be altered without the consent of FRV.
36. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of FRV:

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Conditions Continued

- 36.1. 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.
- 36.2. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of FRV.  
  
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.
- 36.3. Curves must have a minimum inner radius of 10 metres.
- 36.4. 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.

**Native Vegetation**

- 37. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Management Report (TMR), prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.
  - 37.1. The applicant must undertake measures to ensure that all contractors, sub-contractors and tradespersons operating on the site are aware of the contents of this report.
  - 37.2. The Tree Management Report must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.
  - 37.3. Both the TMR & TPP must be part of one document that must be named as the Tree Management Protection Report (TMPR).

The TMPR must include:

- 37.4. Details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
- 37.5. Protection measures to be utilised and at what stage of the development they will be implemented.
- 37.6. Appointment of a project arborist detailing their role and responsibilities.
- 37.7. Stages of development at which the project arborist will inspect tree protection measures.
- 37.8. Monitoring and certification by the project arborist of implemented protection measures.

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Conditions Continued

The TPP must:

- 37.9. Be legible, accurate and drawn to scale.
- 37.10. Show the location of all tree protection measures to be utilised.
- 37.11. Include a key describing all tree protection measures to be utilised.

All protection measures identified in the Tree Management Protection Report must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Protection Report, to the satisfaction of the Responsible Authority.

- 38. Any modification to the Tree Management Protection Report or plan must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.
- 39. Prior to the commencement of works all actions and measures identified in the Tree Management Protection Report must be implemented to the satisfaction of the Responsible Authority.
- 40. Before any works associated with the approved subdivision commence, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
- 41. The vegetation removal as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 42. Once the vegetation removal has started, it must be continued and completed, all to the satisfaction of the Responsible Authority.
- 43. This permit limits the native vegetation to be removed to the specific plants identified on the endorsed plans. No additional native vegetation outside that specified in this permit is to be removed.
- 44. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
- 45. The trunks of trees approved to be removed under this permit must either be repurposed and used on site (outdoor furniture or habitat logs to provide habitat value) or donated to Council for use in Council owned Reserves in accordance with the Greater Dandenong Urban Forest Tree Repurposing Guidelines dated February 2019 and in consultation with and agreement of the Responsible Authority Arborist.
- 46. Prior to the removal of any vegetation and commencement of the development, the trees marked as being retained must have Tree Protection Zones (TPZ) installed to the satisfaction of the Responsible Authority. All TPZ's must meet the following requirements:
  - 46.1. Each TPZ must be installed prior to the commencement of any demolition, excavation, tree removal, delivery of building/construction materials, temporary buildings and construction.

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Conditions Continued

- 46.2. Each shall not be removed until such works have been fully completed.
- 46.3. Each TPZ must extend (as close as practicable) to the Tree Retention Zone, calculated as being a radius of 12 times the Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009).
- 46.4. If works are shown on any endorsed plans of this permit within the calculated TPZ, the Tree Protection Fencing must be taken in only the minimum amount necessary to allow the works to be completed.
- 46.5. Areas within the TPZ must not be used:
  - 46.5.1. For vehicular or pedestrian access, no trenching or soil excavation is to occur.
  - 46.5.2. For storage or dumping of tools, equipment, materials or waste is to occur.
  - 46.5.3. For storage of any vehicles, machinery, equipment or other materials.
  - 46.5.4. Entry and exit pits for underground services.
- 47. The total area of native vegetation proposed to be removed totals 0.0095 hectares, comprised of:
  - 47.1. 1 large tree.
- 48. To offset the permitted clearing in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the permit holder must secure general offset of 0.017 general habitat units:
  - 48.1. Located within the Port Phillip and Westernport Catchment Management boundary or Greater Dandenong municipal area.
  - 48.2. With a minimum strategic biodiversity score of at least 0.114.
- 49. Before any native vegetation is removed, evidence that the required offset by this permit has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
  - 49.1. An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
  - 49.2. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
- 50. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning, Port Phillip regional office.

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Conditions Continued

51. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.
52. Within 6 months of the conclusion of the permitted clearing of native vegetation under this permit, the offset requirements can be reconciled with the written agreement of the responsible authority and the Department of Environment, Land, Water and Planning.

**Expiry**

53. This permit will expire if any of the following circumstances applies:-
  - 53.1. The plan of subdivision for Stage 1 is not certified within two (2) years of the issue date of this permit; or
  - 53.2. Each subsequent stage is not certified within two (2) years of the previous stage being certified, or
  - 53.3. The statement of compliance is not lodged at the titles office within five (5) years of the date of certification of the relevant staged plan of subdivision.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date for the certification of the Plan of Subdivision.

**Notes**

- The property is identified to be subject to flooding in major rain events. An application for Report and Consent for Flooding is required. Asset Management Team is to be contacted to confirm the minimum finished floor level (FFL) of the proposed development.
- Prior to the drainage plans being approved, a drainage approval fee will need to be paid to Council.
- Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.
- FRV requirements for identification of hydrants are specified in 'Guideline 29' available on the FRV web site ([www.frv.vic.gov.au](http://www.frv.vic.gov.au)).
- FRV advises that the ability to construct roads in the development that comply with conditions 3.1 & 3.2 within the current Plan of Subdivision common property should be checked. Amendment to the Plan of Subdivision allotment boundaries may be required.
- 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.
- The required forms to be submitted to the Responsible Authority in relation to telecommunications conditions can be found at the Advisory Note 49 – Telecommunications Services and Facilities in Subdivisions.

Continued...

Conditions Continued

- For subdivisions without existing infrastructure on the street where an extension is required to the existing telecommunications network (such as new poles, lines, pits, towers or satellite dishes), the Australian Communications and Media Authority (ACMA) has a list of carriers (owners of a telecommunications network) that can provide written confirmation to the Responsible Authority that all lots are connected to or ready for connection to telecommunications services at <http://www.acma.gov.au/Industry/Telco/Carriers-and-service-providers/Licensing/register-of-licensed-carriers-licensing-i-acma>
- For subdivisions with existing infrastructure on the street where lots have access to and can connect to the existing telecommunications network on an adjoining street through the installation of a starter conduit or lead-in connection only, a telecommunications network or service provider can also be a person or organisation that is qualified to install the starter conduit or lead-in connections and supporting infrastructure (usually through lead-in conductor lead-in trenching) from the existing telecommunications network to a new lot or multi-lot building. To determine if your cabler is registered, please consult: <http://www.acma.gov.au/theACMA/Library/Corporate-library/Forms-and-registers/is-yourcabler-registered>
- In relation to providing pit and pipe design and build fibre ready services the NBN Co has provided a list of some of the pit and pipe suppliers and manufacturers at <http://www.nbnco.com.au/assets/documents/pit-and-pipe-supplier-list.pdf>
- If you have a condition on your permit requiring the owner to enter into agreements with telecommunication and fibre ready services, the owner/developer must enter into these agreements as soon as possible; the agreement can take weeks to be processed and this may delay statement of compliance being issued. The statement of compliance will not be issued unless evidence of this agreement is provided from the authorised utility company; any submission from a contractor in relation to lead-ins in established areas must include documentation such as plans, photos of the lead-ins, and the registered person's qualifications.
- Further information regarding trees can be found here:  
<https://www.greaterdandenong.vic.gov.au/biodiversity-nature-and-wildlife/trees>
  - link to Greening our City
  - link to Timber Repurposing guidelines
  - link to tree selection criteria
  - link to urban/landscape design guidelines

**Note:** An amendment does not extend the validity of this permit. The expiry of this permit is based on the original issue date shown at the bottom of this permit, not the date this permit was amended.

Continued...

Conditions Continued

Date Approved	Summary of changes
1 October 2024	<p>An extension of time is granted for one (1) year. The permit will now expire if:</p> <ul style="list-style-type: none"> <li>▪ Each subsequent stage is not certified within three (3) years of the previous stage being certified.</li> <li>▪ The Certification of a plan is valid for 5 years from the date of certification.</li> </ul>

**Note:** An amendment does not extend the validity of this permit. The expiry of this permit is based on the original issue date shown at the bottom of this permit, not the date this permit was amended.

**End of Permit Conditions**

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

Signature for the responsible authority: \_\_\_\_\_

WARNING - This document is a working document in the SPEAR approval process. It is subject to revision and change and therefore should not be relied on. If you have any questions about this document please contact the person from Paroissien Grant and Associates Pty Ltd who gave you access to SPEAR / this document. SPEAR Ref: S161299T 16/10/2024 01:59 pm

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# IMPORTANT INFORMATION ABOUT THIS NOTICE

## 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**.)

## 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 any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; 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 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 of 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 where, in such 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 the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

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