**PLANNING PERMIT GRANTED UNDER SECTION 96J OF THE PLANNING AND ENVIRONMENT ACT 1987**

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| **Permit No.:** | 2024/49 |
| **Planning scheme:** | South Gippsland Planning Scheme |
| **Responsible authority:** | South Gippsland Shire Council |
| **ADDRESS OF THE LAND:** | 108 & 110 Parr Street Leongatha being Lot F PS448885 CT Vol 10635 Fol 158 & Lot 1 TP177904 CT Vol 8988 Fol 043 |

**THE PERMIT ALLOWS:**

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| **Planning scheme clause No.** | **Description of what is allowed**  **MULTI-LOT RESIDENTIAL SUBDIVISION IN STAGES AND CREATION/REMOVAL OF EASEMENTS AND RESTRICTIONS AND REMOVAL OF NATIVE VEGETATION** |
| 32.08-3 – General Residential Zone | A permit is required to subdivide land. |
| 44.04-3 – Land Subject to Inundation Overlay | A permit is required to subdivide land. |
| Clause 52.02 – Easements, Restrictions and Reserves | A permit is required to create/remove easements. |
| Clause 52.17 – Removal of Native Vegetation | A permit is required to remove native vegetation |

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

**Amended Plans**

1. Before the plan of subdivision is certified under the *Subdivision Act 1988,* amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application modified to provide / show:
2. The provision of pedestrian access to Open Space Reserve 1 PS821563 (50 Tarwin Ridge Boulevard) in the earlier stages of the subdivision and no later than the creation of half of the total number of lots to be created by the permit.
3. The creation of the north eastern super lot adjoining Coalition Creek in any Stage of the subdivision except for the final Stage and the inclusion of other residential lots within that Stage.
4. Identification of all lots requiring specific Acoustic design measures as described in the Acoustic Report (version dated 01/11/2023).
5. Identification of all fencing on all lot affected by the Land Subject to Inundation Overlay (LSIO) noted as ‘open style post and wire fencing’ to allow free passage of floodwater. This applies only to any part of a lot affected by the LSIO.
6. Any subdivision layout changes necessary as a result of stormwater management plan requirements at Condition 7.
7. Amended Bushfire Management Plan to address the CFA requirements at Condition 29.

**Endorsed Plans**

1. The layout of the subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the Responsible Authority. All works required for each stage of the subdivision must be completed before the issue of Statement of Compliance for that stage.

**Section 173 Agreement**

1. Before the statement of compliance is issued for Stage 1 of the subdivision under the *Subdivision Act 1988* ,the owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the *Planning and Environment Act 1987*. The agreement must set out the following matters:
2. Future development of each lot identified on the endorsed Subdivision Layout Plan with specific Acoustic Design measures must include the mitigation measures described in the Acoustic Report (version dated 01/11/2023) to ensure that the owner of each nominated lot carries out and maintains the acoustic measures nominated in that report, to the satisfaction of the Responsible Authority.
3. The Agreement must include a provision that the requirements of the Acoustic Report will have no force or effect if the bus depot at 131 Parr Street relocates or its existing use rights expire.
4. No buildings or works shall occur outside of the building envelopes identified on the endorsed plan pursuant to Planning Permit 2024/49. This plan is to be included as an annexure to the Agreement.
5. Fencing on any part of a lot as identified on the endorsed Subdivision Layout Plan affected by the Land Subject to Inundation Overlay must be open style post and wire fencing suitable to allow for the free passage of flood water.
6. That no further subdivision will occur to create an additional lot on Lot 92 - as identified on the endorsed Subdivision Layout Plan pursuant to Planning Permit 2024/49.
7. That all dwellings built within the subdivision approved by Planning Permit 2024/49 are to include a minimum size 5,000 litre water tank. The tank water is to be used within the dwellings for toilets, washing and any other re-use. The tank and pipe connections are to be installed as per the recommendations of the approved drainage strategy.
8. The owner must pay the Responsible Authority’s reasonable costs of the preparation, review, execution and registration of the Section 173 Agreement.

**Development Contributions**

1. Prior to the issue of Statement of Compliance for each stage under the *Subdivision Act 1988* a Development Contribution must be paid to the Responsible Authority as stipulated in Clause *(state clause number and Agreement number when executed)* which applies to the land.

**Open Space contribution**

1. Unless otherwise agreed by the Responsible Authority, prior to the issue of a Statement of Compliance for the first subdivision stage, a 5% cash in lieu contribution for public open space, calculated for the entire subdivision approved by this planning permit, must be paid to the Responsible Authority in accordance with Clause 53.01 of the South Gippsland Planning Scheme and Section 18A of the *Subdivision Act 1988.*

**Engineering Department Conditions**

Stormwater Management Plan

1. Before endorsement of the Subdivision Layout Plan, an updated Stormwater Management Plan must be submitted to and approved by the Responsible Authority. The SMP must address and detail the following requirements:
   1. The SMP is to be based on the version of the Stormwater Management Plan prepared by Noyce Environmental Consulting (final version, dated 27/02/2023).
   2. The SMP must be generally in accordance with the requirements of Council’s Infrastructure Design Manual.
   3. Provide updated modelling to reflect appropriate treatment and detention measures to reflect the relevant catchments and number/location of devices suited to the Subdivision Layout Plan, including the consideration of the effect of any uncontrolled catchments.
   4. Stormwater detention system(s) to restrict the stormwater discharge to the equivalent discharge existing prior to the proposed development up to the 1% AEP Design Storm.
   5. Demonstrate stormwater quality treatment to current best practice.
   6. Provide appropriate litter control measures at suitable locations for maintenance and cleaning of the network.
   7. Address existing overland flows from adjacent properties and roads.
   8. Provide mapping of internal flow paths for the 1% AEP Design Storm including any geometry features that may be required to achieve the SMP intent.

Provide two-dimensional flow modelling of 1% AEP Design Storm to prove the performance of the overland flow paths on roads in the vicinity of Lots 117-118, 102-103 & the drainage reserve/Lot 106 as identified on the Subdivision Layout Plan.

Functional Layout Plan

1. Before the Certification of Stage 1 of the subdivision, a Functional Layout Plan which includes all Stages must be submitted to and approved by the Responsible Authority. When approved it will be endorsed and will then form part of the permit. The Functional Layout Plan must demonstrate at a minimum the following:
2. That it is generally in accordance with Council’s Infrastructure Design Manual.
3. Any changes to the layout and/or works, as required by the approved SMP.
4. A fully dimensioned subdivision layout, including proposed street names, approximate lot areas, lot numbers and widths of street reservations.
5. Topography and existing features, including contours for the subject land and any affected adjacent land.
6. Identification by survey of all trees (or group of trees) existing on the subject land, including dead trees and those that overhang the subject land from adjoining land.
7. Details of tree protection zones (TPZs) for all trees (or group of trees) to be retained on the subject land.
8. All trees, or group of trees proposed for removal from the subject land clearly designated.
9. Typical cross-section & profile ranges for each street, describing how hilly terrain is to be addressed, dimensioning individual elements, services offsets and any other spatial requirements.
10. The proposed road servicing Lots 142-152 to be “squared up” to the street at its intersection.
11. The proposed minor drainage network and any spatial features requiring access.
12. The major drainage system, including any watercourse, wetland, sediment pond, bio-infiltration system and/or piped elements showing preliminary sizing.
13. Overland flow paths (1% AEP) to indicate how excess runoff will safely be conveyed to its destination, against indicative cross sections, including flow paths entering the development from external catchments.
14. Indicative locations of legal points of discharge from each lot.
15. Preliminary location of reserves for electrical kiosks.
16. Traffic management plan showing traffic control devices and large vehicle turning overlays at intersections and at curves exceeding 60 degrees change in direction.
17. 1.5-metre-wide concrete footpaths along both sides of all internal road reserves.
18. A 2.5-metre-wide concrete shared path along the north side of Parr Street, between the existing shared path to the west and the northern entry point to the subdivision.
19. Reserve access tracks and internal maintenance tracks.
20. Parr Street constructed to the same width as the existing fully constructed Parr Street carriageway, between the northwest corner of the subject site and the northern entrance to the subject site.
21. Clear notation describing the delineation of works to be provided through developer contributions as agreed with the Responsible Authority.
22. The extension of Parr Street as depicted within the Subdivision Layout Plan beyond the northern entrance to the subject site constructed to an Access Street standard including court bowl, to be funded fully by the developer.
23. Any proposed staging of the development.

Geotechnical Assessment

1. Before approval of detailed engineering plans and certification of a plan of subdivision under the *Subdivision Act 1988*, a geotechnical assessment must be completed to the satisfaction of the Responsible Authority, to determine if any construction methods and requirements need to be adopted as part of the subdivision to minimise the risk of erosion on the site during development. The geotechnical assessment must:
2. Identify and describe appropriate stormwater management practices to manage concentrated stormwater discharges occurring as a result of construction activities on site
3. Identify and describe any requirements for the appropriate timing for the implementation of stormwater management systems to minimise the risk of erosion on site, with particular regard to any proposed staging of the subdivision.

Civil Construction Plans

1. Before certification of the plan of subdivision for each stage, detailed civil construction plans and computations are to be submitted to and approved by the Responsible Authority. The detailed civil construction plans must address the following requirements:
2. Be based on Council’s Infrastructure Design Manual and detail all features described by the approved Functional Layout Plan.
3. Stormwater treatment and detention in accordance with the updated Stormwater Management Plan as approved by the Responsible Authority.
4. All retarding basins to be designed and constructed in accordance with the “Melbourne Water’s Retarding Basin and ANCOLD Guidelines – 2014”.
5. Demonstrate requirements for remediation of existing dams & watercourses, which will include:
6. That the Consulting engineer & Council supervising engineer are to be notified when the dam or watercourse is excavated to a firm base. No filling is to be placed prior to works being inspected & levels taken.
7. All lots and reserves created over or adjoining current or former dams must be remediated so as to be capable of future development prior to the issue of a Statement of Compliance for the relevant stage. All works must be undertaken in accordance with Clause 15 – Earthworks and Lot filling of the Infrastructure Design Manual including but not limited to:

i) All work should be undertaken in accordance with AS 3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.

ii) Records to be kept of all areas filled and the information to be recorded on the ‘as constructed’ plans.

iii) Where the depth of fill exceeds 300mm, the fill is to be compacted in accordance with the requirements of Table 204.131 Compaction Requirements Scale C of VicRoads Specification and trimmed and shaped to match existing site levels, except in areas nominated for soft landscaping.

iv) Any certificates or filling reports to be submitted to Council’s Engineering Department for approval.

1. Geometric design of the proposed wetland stormwater treatment system, as described by the Melbourne Water Constructed Wetlands Design Manual.
   1. Planting schedules and designated zone areas and depths within the proposed wetland stormwater treatment system, as described by the Melbourne Water Constructed Wetlands Design Manual.
   2. All-weather maintenance access routes to all drainage reserve infrastructure.
   3. Any driveway crossovers as required by the Responsible Authority.
   4. Location of Permanent Survey Marks.
   5. Details of any cut and fill including proposed retaining walls.
   6. Provision of temporary vehicle turning areas on roads which are intended to be continued at a future time that are sized so that a Council Waste Collection Vehicle can make a turn in one continuous forward motion. Temporary vehicle turning areas are to be constructed and maintained to the satisfaction of the Responsible Authority.
   7. Pavement design using a recognised engineering methodology including consideration of the in-situ soil conditions and available road making materials. Pavement design must be accompanied by a recent geotechnical report.
   8. Underground drainage, including property connection points, and overland flow paths for 1% AEP Design Storm.
   9. Street lighting to be designed to Australian Standard 1158.1 to the satisfaction of the Responsible Authority.
   10. Signage, including street names, hazard markers and regulatory signs
   11. Any other hard landscaping features as described by the approved Landscape Plan for the relevant stage,
   12. Council hold & witness points during construction. Council hold & witness points are to be in accordance with the Infrastructure Design Manual. A minimum of twenty-four (24) hours’ notice is required for hold & witness points.
2. Upon approval of construction plans by Council for the relevant stage, an amount equivalent to 0.75 % of the estimated cost of construction for checking of engineering plans and computations must be paid to Council. A certified cost estimate is to be provided by the applicant.

Engineering General Conditions

1. Before commencement of works for each stage, a Construction Management Plan (CMP) must be provided as an electronic copy (PDF) version and submitted to and approved by the Responsible Authority. The CMP must be drawn to scale with dimensions and provide for:
   1. Occupational health and safety, traffic management, environmental controls and cultural protection measures to the satisfaction of the Responsible Authority;
   2. The proposed route for construction vehicle access to the site including a program for the upgrade and maintenance works required along this route while works are in progress;
   3. Measures to reduce the impact of noise, dust and other emissions created during the construction process.
   4. Measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system.
   5. The location and method of any Tree Protection Zones.
   6. All machinery bought on the site must be weed and pathogen free.
   7. A truck wheel-wash must be installed and used or a similar arrangement employed so vehicles leaving the site do not deposit mud or other materials on roadways. All machinery washdown, laydown and personnel rest areas must be clearly fenced and located in disturbed areas.
   8. Construction Management Plan to form part of the site induction for contractors.
   9. Best practice erosion and sediment control techniques must be used to protect any native flora and fauna.
   10. Appropriate mechanisms for protecting any environmental and heritage assets during the construction phase of subdivision.
   11. Landscaping and re-vegetation works carried out on the site must be supervised by a person with recognised environmental qualifications.
   12. Hours of construction work. The CMP must provide that such hours are to be 7.00am to 6.00pm Monday to Friday and 7.00am to 1.00pm Saturday, with no construction on Sunday or public holidays. The CMP must provide that the hours of construction from Monday to Saturday (inclusive) may be extended with the consent of the Responsible Authority provided all adjoining residents are notified prior to the extended hours of construction. All deliveries, unloading and collection of materials associated with the construction phase of the development must occur within the hours of construction work, unless further permission is given in writing by the responsible authority.
   13. The location of the construction worker’s compound. The compound must be located a reasonable distance from any neighbouring residence to minimise amenity impacts. The compound must be used for the storage of building materials, parking for construction workers and as the location for the site offices and amenities.
   14. Management of all building and construction waste, including any measures to recycle materials generated during construction.
   15. Locations of cut and fill stockpiles.
   16. The gravel and any other approved soil-derived material used in the construction of pedestrian links and paths must be guaranteed Phytophthora free.
   17. A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced.
   18. The CMP must detail conditions that will cause bulk earth works to be suspended (for example after significant and prolonged rain event) and the timing of bulk earth works; and
   19. Reporting requirements to demonstrate compliance with the latest revision of the following documents:
       1. EPA guidelines for Major Construction Sites and Techniques for Sediment Pollution Control and other provisions of the approved CMP.
       2. Best Practice Environmental Management Guidelines for Urban Stormwater.
       3. Environmental Guidelines for Urban Stormwater (EPA Publication).
   20. All works constructed or carried out must be in accordance with the approved Construction Management Plan. Once approved the Construction Management Plan must not be altered except with the written consent of the Responsible Authority.
2. Before the Statement of Compliance is issued for each stage of the subdivision under the *Subdivision Act 1988*:
3. The works shown on the approved detailed civil construction plans for that stage must be completed to the satisfaction of the Responsible Authority or, by agreement with the Responsible Authority, bonded for completion at a later agreed date. The bond can either be a cash bond or a bank guarantee,
4. Lighting of streets and pedestrian/cycle paths must be provided in accordance with the approved detailed civil construction plans,
5. As constructed” asset details of all drainage & road components of the approved works in a format that conforms with the current version of A-Spec must be provided, including:
6. An assets statement for each street.
7. “As constructed” information for the works in each stage detailing information as listed in Council’s IDM.
8. A certified plan showing the extent and depth of fill in excess of 300 mm placed on any of the allotments.
9. Scaled “as constructed” plans for each stage in PDF and AutoCAD compatible format must be provided to the Responsible Authority.
10. Payment must be made to the Responsible Authority in accordance with the Subdivision Act 1988 for an amount equivalent to 2.5% of the actual cost of construction of infrastructure to be handed to the Responsible Authority (including hard landscaping), being for supervision of the construction works. A certified final cost of construction is to be provided to Responsible Authority for approval.
11. Payment must be made to the Responsible Authority of an amount equivalent to 5% of the actual cost of construction of infrastructure to be handed to the Responsible Authority (including hard landscaping), being for Guarantee of Works during Defects Liability Period. The amount to be refunded upon release from Defects Liability Period by Council. A bank guarantee, with no fixed expiry date, can be provided in lieu of a cash bond.
12. All infrastructure to be handed to the Responsible Authority (including hard landscaping) is subject to a twelve-month Defects Liability Period during which any defect in the design, workmanship, products or materials identified during this time must be repaired, replaced or made good to the satisfaction of the Responsible Authority.

**Open Space requirements**

1. Before certification of the plan of subdivision for each stage, detailed Landscape Plans are to be submitted to and approved by the Responsible Authority. The detailed Landscape Plans must describe treatments within road, drainage and open space reserves, and must consider and address to the satisfaction of the Responsible Authority:
2. Landscape features that provide amenity and enhance the overall aesthetics of the development and adjoining area.
3. Integration with the existing urban and rural landscape.
4. The promotion of passive visual surveillance in public spaces.
5. A native planting scheme to increase biodiversity and beautify open space/drainage areas.
6. The inclusion of native street trees (1 per Lot) that provide a canopy cover of approximately 6 metres.
7. A planting schedule of all proposed trees/plants (and locations), including botanical names, common names, pot sizes, sizes at maturity and quantities.
8. The location of all lawn areas, to be limited to 1 in 5 maximum grades to ensure ease of maintenance and operator safety.
9. Specifications, details and locations of all proposed hard landscape features including retaining walls, footpaths, furniture, lighting, drainage and any other infrastructure.
10. A survey of all existing vegetation to be retained and/or removed (including botanical names).
11. The ease of ongoing horticultural, drainage and asset maintenance requirements,
12. Maintenance vehicle and pedestrian access.
13. Limitation of unauthorised vehicle access.
14. The practicality of ongoing maintenance and minimisation of ongoing maintenance costs.
15. The type of management that must be applied within reserves to maintain a low fuel state
16. Street and reserve lighting, including lighting details and supporting lighting design that demonstrates compliance with relevant standards.
17. The Landscape Plans must describe features to be provided within the drainage reserve including:
18. The provision of gradual slopes/transitions, installation of rock outcrops to improve accessibility for maintenance and reduce erosion
19. The installation of fences/safety devices where water hazards pose a risk to pedestrians and vehicles
20. The installation of jute/erosion control matting and mass-plantings with suitable indigenous vegetation throughout drainage reserve.
21. Ground covers/graminoids from EVC list must be used for east side of tree line at Coalition Creek.
22. Access for maintenance vehicle and mower operators with safe mowing areas. (less than 1 in 5 grades).
23. A pedestrian connection between Tarwin Ridge Boulevard to Storm Water & Open Space Reserve, and through to the drainage reserve street frontage.
24. The installation of a solid 3 metre wide (minimum), hard wearing, long lasting access path for maintenance vehicles and pedestrians located adjacent to southern boundary of Lot 120 in accordance with the endorsed subdivision plan.
25. The provision of a circuit track within drainage reserve to be suitable for maintenance vehicles access and constructed from a hard-wearing, long-lasting material.
26. The installation of two bench seats with armrests to be installed along the maintenance circuit.
27. The Landscape Plans must consider fire hazard and any commentary from CFA. The developer must provide commentary on the Landscape Plans addressing slope as a factor, such as vegetation setbacks increasing with the slope.
28. The Landscape Plans must be supported by an associated maintenance program to be provided by the developer and approved by the Responsible Authority, describing all required maintenance activities and frequencies.
29. All existing vegetation that is to remain must be assessed and pruned by a suitably qualified arborist and tree protection zones fence installed prior to the commencement of any works that may impact those zones.
30. Before the issue of Practical Completion for the civil works for each stage, the site is to be cleared of all contaminants, debris and weeds (including, but not limited to building rubble, rubbish, broadleaf weeds/unwanted vegetation).
31. Before the issue of Statement of Compliance for each stage, landscaping works must be completed to the satisfaction of the Responsible Authority.
32. The developer is to allow for and provide maintenance for the landscaping period of 24 months after completion, at no cost to Council.

**Native Vegetation Removal**

1. No native vegetation, other than that shown on the Ecological Assessment prepared by Okologie Consulting (Version 2, dated 27/10/2023) shall be destroyed, felled, lopped, ring barked or uprooted, without the consent of the Responsible Authority.
2. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.493 total hectares of native vegetation; which is comprised of 0.353ha of native vegetation patches and 0.141ha of scattered trees, inclusive of 2 Large Trees in patches and 2 Large Trees outside of patches, with a Strategic biodiversity value of 0.465.
3. To offset the removal of 0.493 hectares of native vegetation, inclusive of the 2 Large Trees within patches and 2 Large Scattered Trees, the permit holder must secure the following native vegetation offsets in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)*:

a. A general offset of 0.183 general habitat units:

i. Located within the West Gippsland CMA or South Gippsland Shire LGA;

ii. With a minimum strategic biodiversity value of at least 0.465.

iii. 4 Large Trees.

1. 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. A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. This evidence must be one or both of the following:

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
2. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
3. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to the Manager, Planning Approvals at the Department of Environment, Energy and Climate Action Port Phillip regional office.
4. 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.

**Referral authority conditions - Country Fire Authority**

1. A Bushfire Management Plan must be prepared generally in accordance with the version prepared by Euca Planning (version dated August 2023), and amended to include the following requirements:
2. A date and version number.
3. An area of defendable space for a distance of 19 metres for Lot 120 (as identified in the Subdivision Layout Plan) from the grassland vegetation.
4. To show the vegetation on the Council Stormwater Reserve will be maintained to a low threat level.
5. Before the Statement of Compliance is issued under the *Subdivision Act 1988* for Stage 1 of the subdivision, the Owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*. The agreement must:
6. Identify the implementation and maintenance of defendable space, as specified on the endorsed Bushfire Management Plan.
7. Identify the location of building envelopes, as specified on the endorsed Bushfire Management Plan.
8. Ensure the access tracks and vegetation management of Lot 92 is implemented and maintained, as specified on the endorsed Bushfire Management Plan.
9. Before the Statement of Compliance is issued under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the Country Fire Authority (CFA):
10. 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.
11. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the CFA.

**Referral authority conditions - West Gippsland Catchment Management Authority**

1. Before certification of Stage 1 of the subdivision a revised Waterway Management Plan (WMP) must be approved in writing by the West Gippsland Catchment Management Authority and the Country Fire Authority. The WMP must include:
2. Details of existing environmental values.
3. Details of any initial stabilisation and vegetation works
4. A landscape plan for revegetation of land either side of the waterway, generally in accordance with the Concept Waterway Management Plan. Any area required to be cleared of vegetation to create defendable space must not encroach into the required revegetation within the waterway buffer.
5. A Weed Management Plan to be implemented prior to the commencement of revegetation works.
6. A maintenance plan detailing the sequencing and periods of short, medium, and long term actions, including inspections, and the parties responsible for each action.
7. Before certification of Stage 1 of the subdivision, a revised Stormwater Management Plan (SMP) must be developed to the satisfaction of the West Gippsland Catchment Management Authority. The SMP must demonstrate that all stormwater discharge from the subdivision will meet the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999), and must quantify the reduced loads of sediment, nutrient and gross pollutants in kg/year. The SMP must include a maintenance schedule to identify actions required to ensure that all water quality treatment assets (public and private) are maintained in perpetuity.
8. Before the issue of a Statement of Compliance for the applicable stages of the subdivision, the weed management and revegetation works detailed in the approved Waterway Management Plan must be undertaken to the satisfaction of the West Gippsland Catchment Management Authority.
9. Before the issue of a Statement of Compliance for each stage of the subdivision, the water quality treatment works outlined in the approved Stormwater Management Plan must be undertaken to the satisfaction of the West Gippsland Catchment Management Authority.

**Referral authority conditions - South Gippsland Water**

1. The Owner of the land must enter into a formal agreement with the South Gippsland Water Corporation (the Corporation) for the provision of a reticulated water and sewer supply to service each and every allotment to the design and satisfaction of the Corporation.
2. Prior to Certification easements are to be created no less than 3 metres wide, in favour of the Corporation, over any of the Corporation’s existing or proposed infrastructure located within the proposed subdivisional lots.
3. Prior to Certification a reserve is to be created and shown in favour of the Corporation around any proposed sewage pump station.
4. The plan of subdivision submitted for certification must be referred to the Corporation in accordance with Section 8 of the *Subdivision Act 1988*.
5. Prior to the issue of Statement of Compliance for each subdivision stage, the owner must pay to the Corporation “New Customer Contributions” for Sewer and Water for each new lot created, in accordance with the Corporation’s approved tariffs.
6. The location of the Corporation’s existing sewer infrastructure is to be proven on site prior to works commencing.
7. Any damage caused to the Corporation’s sewer infrastructure during the construction of the proposed plant or ancillary works must be rectified and all costs borne by the owner. If the Corporations assets are exposed at any time during construction, works must stop immediately, and the Corporation informed by calling 5682 0444.

**Telecommunications Services and Facilities**

1. Before the issue of a Statement of Compliance for each subdivision Stage, the Owner of the land must enter into an agreement with:
2. 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
3. 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.
4. 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:
5. 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;
6. 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.

**AusNet Electricity Services**

1. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of *the Subdivision Act 1988*. The applicant must meet the following requirements:
2. Enter in an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot under 16Ha on the endorsed plan.
3. Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
4. 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.
5. 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.
6. Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.
7. 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.
8. Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for any electric substations or Isolating Transformers.
9. Provide survey plans for any electric substations or Isolating Transformers 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.
10. 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.
11. 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.
12. 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.

**Transport for Victoria Conditions**

1. Any roundabout 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 Head, Transport for Victoria.
2. 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.

**Expiry of permit for subdivision**

1. This permit will expire if one of the following circumstances apply:
2. The first stage is not certified within two years of the date of this permit; or
3. The subsequent stages are not certified within ten years of the date of this permit; or
4. The registration of the subdivision is not completed within five years of the date of certification for each stage.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

USEFUL INFORMATION:

The following information does not form part of this permit.

1. The permitted use or development may need to comply with, or obtain the following further approvals:

**EPA Note**

1. The amended *Environment Protection Act 2017* came into effect on 1 July 2021. The amended *Environment Protection Act 2017* imposes new duties on individuals and/or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.

**CFA**

1. The CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under publications on the CFA website (www.cfa.vic.gov.au).

**IMPORTANT INFORMATION ABOUT THIS PERMIT**

**WHAT HAS BEEN DECIDED?**

The responsible authority has issued a permit. This permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. [insert planning scheme number] to the [insert planning scheme].

**WHEN DOES A PERMIT BEGIN?**

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

**WHEN DOES A PERMIT EXPIRE?**

1. A permit for the development of land expires if–
   * the development or any stage of it does not start within the time specified in the permit; or
   * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of 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 five 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?**

* In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Administrative Tribunal for a review of any condition in this permit.