

CONDITIONS

Application reference YR-2023/386

Address of the land Queens Park, 1 Badger Creek Road and 1-5/36 Don Road, Healesville, being Crown Allotments 2, 3, 4 and 6 Section 7 Township of Healesville Parish of Gracedale

Proposal Construct buildings and works associated with the existing use of the land as a Community Centre, Removal, and pruning of Vegetation, Demolition, and alteration of access to a road in a Transport Zone 2

Planning Scheme Clause	What the permit will allow
Clause 36.02-2 (PPRZ)	Construct a building or construct or carry out works.
Clause 43.01-1	Demolish or remove a building
Clause 43.01-1	Construct a building or construct or carry out works
Clause 43.01-1	Remove, destroy or lop a tree
Clause 44.06-2 (BMO)	Construct a building or construct or carry out works.
Clause 52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.
Clause 52.29-2	Create or alter access to a road in a Transport Zone 2
Clause 63.05	Construct a building or construct or carry out works associated with an existing section 2 or 3 use

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must

be generally in accordance with the plans submitted with the application (*Prepared by Workshop Architecture Job No 1763 Oonah being Sheets –*

- A0.00 Rev C dated 23/2/24,
- A0.02 Rev E dated 7/10/24,
- A1.01 Rev E dated 28/10/24,
- A1.02, Rev C dated 23/2/24,
- A1.04 Rev C dated 23/2/24,
- A2.01 Rev D dated 23/2/24,
- A2.02 Rev C dated 23/2/24,
- A3.01 Rev D dated 28/10/24,
- A3.02 Rev D dated 28/10/24,
- A3.04 Rev C dated 23/2/24,
- A4.00 Rev C dated 23/2/24,
- A4.01 Rev C dated 23/2/24, and
- A5.01 Rev C dated 23/2/24,

but amended to show the following:

- a. The following in relation to access across Wirrup Yaluk Creek
 - i. Deletion to any reference to a bridge over Wirrup Yaluk Creek and associated path.
 - ii. Setbacks of the lease area site from the Wirrup Yaluk Creek and its banks with the lease area shown consistently on all plans.
- b. The following in relation to sustainability
 - i. 20,000L capacity rainwater tank, collecting approximately 811m² roof area runoff, connected to all toilets for flushing and remaining roof area (600m²) connected to swale drain/buffer strip.
 - ii. Driveway/carpark area (664m²) connected to Enviss pits/raingarden.
 - iii. Minimum 30kWp Solar Photovoltaic (PV) array
- c. Plans of subfloor areas including waste storage / bike storage areas, including dimensions and pedestrian access paths with finished floor levels of sub floor areas in accordance with condition 24.
- d. The following in relation to trees:
 - i. Deletion of Trees 442, 443 and 512 as the trees are no longer on site.
 - ii. The footpath within the Tree Protection Zones of trees 17, 425 and 514 constructed above grade (no excavation works) with permeable materials.
 - iii. The turning bay within the Tree Protection Zone of Trees #423 and 424 modified to avoid the Structural Root Zones (minimum setback of 2 and 2.2 m respectively) and constructed at or above grade from permeable materials. The footpath location must be modified to avoid the Structural Root Zones and be constructed above grade (no excavation works) with permeable materials

- iv. All construction works within the Tree Protection Zone 496 to be undertaken under arborist supervision in accordance with condition 15.
 - v. Tree Protection Management Plan required by condition 16 and any changes to the plans required by this.
 - vi. Evidence of vegetation offset requirements being secured pursuant to conditions 47 and 48.
 - e. The following in relation to car parking / vehicle access
 - i. All parking spaces within the site delineated with wheel stops or parking dots or another method to the satisfaction of the Responsible Authority.
 - ii. Relocation of the CFA tank to improve sight distance around the internal bend
 - iii. Deletion of all on-street parking bays
 - iv. Provision of two (2) accessible parking bays with an ancillary shared area within the site with a suitable path connection to the main entrance indicatively located near space 14.
 - v. All vehicle crossings to be dimensioned.
 - vi. Car park and vehicle accessways north west of the proposed building to be sealed.
 - f. A Fauna Management Plan required by condition 49.
2. The development as shown on the endorsed plans must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.
3. Before the development starts, an amended Landscape Plan to the satisfaction of the responsible authority and prepared by a suitably qualified person must be submitted to and approved by the responsible authority. When approved, the Landscape Plan will be endorsed and will then form part of the permit. The plan must be generally in accordance with the Urban Initiative Landscape Town Planning report dated 3 February 2025 drawn to scale, fully dimensioned and but amended to show:
- a. A survey (including botanical names, trunk location, trunk diameter and canopy spread) of all existing vegetation. The survey must clearly mark existing vegetation to be retained and removed.
 - b. Details of surface finishes of pathways and driveways.
 - c. 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
 - d. Landscaping and planting within all open areas in accordance with the defensible space requirements of the bushfire management plan.
 - e. 1200mm organic mulch diameter around any retained or proposed trees in lawn areas.
 - f. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.

- g. The location of any tree protection zones and protection measures accurately drawn to scale, labelled and notations referring to any endorsed Tree Management and Protection Plan, or Arboricultural Report.
 - h. Planting in accordance with the bushfire management plans defensible space requirements.
- 4. Before the development is occupied or by such later date with the prior written consent of the responsible authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 5. The landscaping shown on the endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the responsible authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants are to be replaced after becoming aware of the dead, diseased or damaged plants. The responsible authority may amend the endorsed Landscape Plan from time to time.
- 6. Before the development starts, a Construction Management Plan (CMP) 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 CMP must specify how the environmental and construction issues associated with the development will be managed and must address the following as applicable:
 - a. A detailed schedule of works including a full project timing.
 - b. A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
 - c. The location for the parking of all construction vehicles and construction worker vehicles during construction. This should be within the subject site before and after the car park is constructed.
 - d. Proposed traffic management signage indicating any inconvenience generated by construction.
 - e. Fully detailed plan indicating where construction hoardings would be located.
 - f. A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
 - g. Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
 - h. Site security.
 - i. Public safety measures.
 - j. Restoration of any Council assets removed and/or damaged during construction.
 - k. Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
 - l. Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).

- m. An emergency contact that is available for 24 hours per day for residents and the responsible authority in the event of relevant queries or problems experience.
- n. Traffic management measures to comply with the relevant Australia Standard.
- o. All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
- p. Details of crane activities, if any.
- q. Discharge of any polluted water.
- r. Erosion control measures.
- s. Sediment control measures.

The development must be carried out and implemented in accordance with the endorsed Construction Management Plan at all times to the satisfaction of the responsible authority. The responsible authority may amend the endorsed Construction Management Plan from time to time.

Traffic Conditions

- 7. The parking areas, vehicular access ways and drainage approved by this permit are to be maintained and must not be obstructed or made inaccessible and must be kept available for these purposes at all times to the satisfaction of the responsible authority.
- 8. Prior to the occupation of the permitted development the parking areas and vehicular accessways shown on the endorsed plan must be constructed with sealed surfacing, drained and delineated in accordance with the endorsed plans to the satisfaction of the Responsible Authority.
- 9. The loading and unloading of vehicles and the delivery of goods must be carried out within the site boundaries at all times.
- 10. A minimum of 21 car parking spaces must be provided on site as part of this approval.

Amenity

- 11. All security alarms or similar devices installed on the premises must be of a silent type in accordance with any current standard published by Australian Standards and be connected to a monitored security service.
- 12. Before the development is occupied, external lighting must be located, designed, directed, shielded and baffled to not uplight any building or other thing and to not illuminate directly beyond the extents of the site and thereafter maintained, all to the satisfaction of the responsible authority.
- 13. The external finish of the permitted development must remain muted and non-reflective to the satisfaction of the responsible authority.

Sustainability

14. The development must be undertaken in accordance with the Sustainability Management Plan (SMP) (*Revision C dated 13/12/2022 prepared by JBA*) to the satisfaction of the Responsible Authority.

Arborist

15. The pruning of any tree must comply with the Australian Standard for pruning of amenity trees 'AS 4373 – 2007' to the satisfaction on the Responsible Authority. Pruning must be undertaken by an arborist with a minimum AQF level 3 qualification.
16. The footpaths within the Tree Protection Zone of trees #17, 425 and 514 must be constructed above the existing grade using permeable materials to the satisfaction of the Responsible Authority. There must be no excavation within the Tree Protection Zone, except for scraping the surface up to 30mm deep to remove surface organics and/or debris.
17. All underground service pipes/conduits including storm water and sewerage must be diverted around the Tree Protection Zone of any retained tree, or bored underneath with a minimum cover of 600mm to top of pipe/conduit from natural ground surface to the satisfaction of the Responsible Authority. All pits, holes, joints and tees associated with the installation of services must be located outside the Tree Protection Zone, or the project arborist must demonstrate works in the Tree Protection Zone will not impact viable tree retention to the satisfaction of the Responsible Authority.
18. Works within the Tree Protection Zones of tree #496 must be supervised by a Project Arborist with an AQF level 5 or higher qualification in arboriculture. Following the completion of works within a Tree Protection Zone requiring Project Arborist supervision, a certification of works must be submitted to council which includes:
 - Date of works/supervision
 - Name of arborist in attendance
 - Qualification/s of arborist in attendance
 - Description of works undertaken
 - Photographic evidence of works undertaken
 - Any deviation from permitted works
 - Expected impact to tree/s.
19. Prior to the commencement of any building and/or works, a Tree Protection Management Plan must be submitted to and approved by the Responsible Authority. The Tree Protection Management Plan must be prepared by an arborist with a minimum AQF (Australian Qualifications Framework) level 5 qualification in arboriculture. The Tree Protection Management Plan must detail and provide a schedule of the tree protection and management actions prior to, during, and after works (including demolition) required to:
 - a. maintain and protect the condition of all retained trees; and
 - b. comply with AS 4970–2009 Protection of trees on development sites.

- c. non-destructive root investigation along the line of proposed encroachment to determine if the tree 428 will remain viable

The Tree Protection Management Plan must include all tree-related requirements conditioned in this permit. All works in the Tree Protection Management Plan to, or affecting, trees must be implemented and/or monitored by an arborist with a minimum AQF level 5 qualification (the Project Arborist), and the works must be to the satisfaction of the Responsible Authority. The Project Arborist must certify in writing that implementation of the Tree Protection Management Plan is complete and submit:

- Date of works/supervision
- Name of arborist in attendance
- Qualification/s of arborist in attendance
- Description of works undertaken
- Photographic evidence of works undertaken
- Any deviation from permitted works
- Expected impact to tree/s.

20. Prior to the commencement of any buildings and/or works approved by this permit, temporary fencing must be erected around:

- Any tree shown for retention on the endorsed plans to define a Tree Protection Zone
- Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

to the satisfaction of the Responsible Authority and must:

- a. Exclude access and construction activity within the TPZs assessed in the Arborist Report by Ryder Arboriculture & Environment, 12/12/2024
- b. If trees have not been assessed, the Tree Protection Zone is a circle with a radius equal to 12x the trunk diameter measured at 1.4 m above ground level, and
- c. Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 for temporary fencing and hoardings, and
- d. Not extend beyond the site boundaries except into roadside reserve and/or nature strip areas. Fencing within roadside reserves and/or nature strip areas must not prevent the use of a road or footpath, and
- e. Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.

Temporary fencing can be modified to accommodate encroachment into the Tree Protection Zone of tree(s) as per the endorsed plans. Fencing must be modified in line with the footprint of the approved works only.

Demolition of Building

21. Except with the prior written consent of the responsible authority, the buildings used and owned by the Healesville Living and Learning Centre and EACH must not be demolished.

Drainage

22. Prior to the occupation of the permitted development piped drainage must be constructed to drain all impervious areas incorporating Water Sensitive Urban Design features, to the satisfaction of the Responsible Authority.
23. Prior to the commencement of any works as required by this permit, Development Stormwater Drainage Engineering Plans and Computations must be submitted to, and approved by, the Responsible Authority. Development Stormwater Drainage Engineering Plans and Computations must be in line with all the requirements of the approved point of discharge certificate.

<https://www.yarraranges.vic.gov.au/Development/Roads-drains/Applications-and-permits/Submit-stormwater-drainage-and-computations>

24. Prior to the occupation of the permitted development a detention system, must be constructed/installed to drain all impervious areas, to the satisfaction of the Responsible Authority.
25. Prior to the occupation of the permitted development the construction of all civil works within the site, including detention system must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the Responsible Authority.
26. Prior to the commencement of any works as required by this permit, the owner/developer must demonstrate to the satisfaction of the Responsible Authority that stormwater runoff exiting the site has been designed and constructed to meet the current best practice performance objectives for stormwater quality, as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) as follows:
 - 80% retention of the typical annual load of suspended solids;
 - 70% reduction of the typical annual load of gross pollutants;
 - 45% retention of the typical annual load of total phosphorous; and
 - 45% retention of the typical annual load of total nitrogen.

Bushfire

27. The bushfire protection measures and requirements forming part of this permit as shown on the endorsed plans (and reports), including those relating to construction standards, defendable space, water supply and access, must be complied with at all times and thereafter maintained in accordance with those endorsed plans and reports (as applicable) and to the satisfaction of the responsible authority.

Country Fire Authority

28. Before the development starts, the Bushfire Management Plan (BMP) (*Prepared by Biosis, Dated 16 December 2022*) must be amended to show Defendable Space only to the property boundary and endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

Department of Transport and Planning

29. Prior to commencement of the use, all disused or redundant vehicle crossings must be removed, and the area reinstated kerb and channel to the satisfaction of and at no cost to the Head, Transport for Victoria.
30. Prior to commencement of the use, the crossovers and driveways are to be constructed to the satisfaction of the Head, Transport for Victoria and the Responsible Authority and at no cost to the Head, Transport for Victoria.
31. All vehicles must enter and exit the site in a forward direction at all times.

Melbourne Water

32. Finished floor levels of all areas within the proposed building must be constructed no lower than 600mm above the applicable grading flood level of 90.8 metres to Australian Height Datum (AHD) at the north-east corner of property down to 89.6 metres to AHD at the north-west corner.
33. No earth filling will be permitted at locations lower than the applicable grading flood level within the site - mainly north-east waterway side boundary.
34. Any fencing at locations lower than the applicable grading flood level within the site (waterway side boundary) must be out of a 50% open style of construction or standard timber paling style of construction. (Waterway interface to be 50% open style)
35. Development must be located a minimum of 10 metres from top of bank from the Wirrip Yallock. There must be no disturbance of or change to natural surface level or existing vegetation within the 10m buffer/ setback.
36. 10m setback from the top of bank must be vegetated comprising of local indigenous species to provide protection to the bank and to provide a filtration buffer to the waterway.
37. Sediment and contaminant laden runoff to the site during construction must be contained and not permitted to enter the waterway adjacent to the site.
38. No sewerage or septic system outfall or overflow is to be connected to the Melbourne Water waterway asset.
39. No temporary or permanent stormwater connection from the development is to be made to the Wirrip Yallock without the prior approval and consent of Melbourne Water. Only clean stormwater may be discharged into Melbourne Water's drainage system. Other discharges may require licensing under provisions of the Environment Protection Act 1970.
40. Any new stormwater connection shall be made to Council's drainage system. In the event that connection cannot be made to Council's system, a separate application (on-line) must be made for any new or modified stormwater connection or alteration to Melbourne Water's waterway for assessment and approval. Evidence must be

provided by Council regarding the legal point of discharge. Note: Fees and specific conditions will apply. For more information please refer to:

<https://www.melbournewater.com.au/planning-and-building/work-or-build-near-our-assets-or-easements/stormwater-connection-guidelines>

41. If storm water connection is to the waterway, a formal application must be made to Melbourne Water's Asset Services Team to conduct any works on or near Melbourne Water's asset. Prior to undertaking any works on or near a Melbourne Water asset, the contractor must be in receipt of a Melbourne Water 'Permit to Work'. Please contact Melbourne Water's Customer Service Centre on 131 722. Any individual carrying out works on Melbourne Water's assets must be recipient trained.
42. Works on the waterway must be carried out to the satisfaction of Melbourne Water. Please contact Melbourne Water's Asset Services team for the nominated Asset Services Inspector to arrange a Practical Completion Inspection. Upon inspection, Melbourne Water may order additional work/protection of the bank(s) around the proposed outlet as necessary. Any additional costs must be borne by the applicant/developer/owner. Please note that this inspection is not a final inspection. Instead, a final inspection will be carried out no sooner than three months after the works have been deemed practically completed. This period will serve as a defects liability period, thus ensuring the outlet withstand the variable conditions induced by the natural elements of rain and creek flows. Relevant Inspector must be contacted to make the final inspection. Once the final inspection has been made, the owner/agent must complete the enclosed End of Defects Liability Form and return it to Melbourne Water.
43. The outlet must be graded so that the outlet velocity does not exceed 1.5metres per second. All details of outlet construction including details of energy dissipation structures required to achieve the required velocity must be forwarded to Melbourne Water for approval. Please see the link for further information.
<https://www.melbournewater.com.au/building-and-works/work-or-build-near-our-assets-or-easements/stormwater-connection-guidelines>
44. Any proposed works must not impact upon bank stability. Any Area disturbed during the works will be required to be reinstated by the proponent.
45. Any proposed works must not impact on any significant native vegetation. Removal of any native vegetation must be in line with the Native Vegetation Framework.
46. A Site environment management plan (SEMP) is to be submitted to Melbourne Water for approval prior to the commencement of construction. The SEMP must detail sediment and pollution controls that will be implemented during the construction phase of the project and must be in accordance with Cultural Heritage Management Plan File No 1214 CHMP No 17441,
47. The construction and ongoing maintenance of the outlet and any associated rockwork within the bed and banks of the waterway are the responsibility of the owner.
48. Melbourne Water requires unobstructed access to the area is maintained at all times for operational purposes. The works area must be kept to a minimum and clearly defined on-site, thus creating a clear path for Melbourne Water to access the drain/easement.

Department of Energy, Environment and Climate Action

49. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.
50. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access;
 - trenching or soil excavation;
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - construction of entry and exit pits for underground services; or
 - any other actions or activities that may result in adverse impacts to retained native vegetation.

The responsible authority may consent in writing to vary any of these requirements.

51. The total area of native vegetation permitted to be removed is 0.3 hectares.
52. To offset the removal of 0.3 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a general offset of 0.058 general habitat units
 - located within the Melbourne Water Catchment Management Authority boundary or Yarra Ranges Shire municipal district;
 - have a Strategic Biodiversity Value score of at least of 0.216; and
 - provide protection for eight (8) large trees.
53. Before any native vegetation is removed, evidence the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:
- 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
 - credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Energy, Environment, and Climate Action at pe.assessment.vic.gov.au.

54. Before any removal of native vegetation occurs, a Fauna Management Plan must be prepared to the satisfaction of the responsible authority. The Fauna Management Plan will include:
- a plan for identifying habitat prior to construction

- b. pre-clearing surveys
 - c. construction phase capture (fauna salvage) methodology
 - d. proposed release sites on the subject land and plan for what to do if pest species are encountered, the animal is harmed or there are no appropriate locations for release on the subject land.
55. Before any removal of native vegetation the tree/ vegetation must be inspected by an appropriately qualified zoologist with appropriate permits under the *Wildlife Act 1975* to determine the presence of any native fauna living or nesting in the tree. Should any native animals be detected they must be caught to avoid harm to the animal and managed in accordance with the endorsed fauna management plan.
56. If threatened fauna (as identified under the *Environment Protection and Biodiversity Conservation Act 1999* and/or *Flora and Fauna Guarantee Act 1988*) are found nesting in trees prior to removal, works must cease and additional advice must be sought from DEECA, prior to the removal of trees.
57. Hollow bearing trees removed must be retained for conservation purposes on the land and placed in suitable areas of habitat under the direction of a qualified zoologist. At a minimum the sections of the trees containing hollows must be placed in the vicinity of the trees to be retained (within the vegetation protection fencing area) or along the creek line corridor on the Queens Park land.

Soil Disposal

58. Any soil removed from the site must be disposed of in accordance with part 12 of the preliminary soil contamination assessment prepared by ESP Environmental Safety Professionals dated 4 December 2020.

Aboriginal Cultural Heritage

59. Works must be conducted in accordance with the requirements of the approved Cultural Heritage Management Plan File No 1214 CHMP No 17441.

Permit Expiry

60. This permit will expire if one of the following circumstances applies:

- a. The development is not started within four years of the date of this permit, or
- b. The development is not completed within six years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit of the commencement date.

An extension of time to complete the development or a stage of the development may be requested if:

- The request for an extension of time is made within 12 months after the permit expires; and
- The development or stage started lawfully before the permit expired.

NOTES:

Other Approvals

1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority, under this or any other Act, Regulation or Local Law.

Building Approval

2. Building works approved under this planning permit must not be commenced until a building permit has also been obtained under the *Building Act 1993* and the *Building Regulations 2018*.
3. Road Reserve Works Permit
Prior to the commencement of any works affecting or involving Shire roads or drains, Asset Protection and/or Road Reserve/Easement Works permit(s) are required. An application for a permit can be obtained at the Shire of Yarra Ranges Community Links.
4. Department of Transport Approvals
The proposed development may require separate approval under the Road Management Act 2004 for works on Anderson Street. Please contact the Department of Transport prior to commencing any works.
5. Melbourne Water
Flood protection
 - Finished floor levels of the proposed development has been set at 93.42 metres to AHD which is much higher than Melbourne Water's freeboard requirement of 600mm above the flood level at any location as per grading flood level information.

Other

- It is noted a Cultural Heritage Management Plan has been completed for the site considering the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Act Regulations 2007* have been enacted within Victoria. Sections of this Act and relevant regulations will apply to this proposal. It is the applicant's responsibility to ensure the requirements of the cultural heritage management plan be followed at all times.
 - Using information available to Melbourne Water it appears the site is not located in close proximity to any rare and/or threatened Flora and Fauna values. However, Melbourne Water requests the applicant contact the Department of Environment, Land, Waterways and Planning (DELWP) for further information and/or approval to disturb the site. Melbourne Water requests that formal correspondence be forwarded showing that DELWP has been consulted and that their requirements have been addressed.
6. Department of Energy, Environment and Climate Action
Works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG Act). All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG Act approvals are required. Protected Flora Permits can be obtained from the regional DEECA office.
Offset requirements are determined in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017). Proposed offset sites must

meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.