

Council Report – Recommended Conditions and Notes

Application	YR-2021/1040
Address of the Land	266-268 Maroondah Highway (Lot S4 PS544666H), Chirnside Park and Manchester Road Reserve adjoining 266-268 Maroondah Highway, Chirnside Park
Proposal	Use of land for a Retirement Village, construction of buildings and works for a Retirement Village, Residential Aged Care Facility and dwellings, native vegetation removal (Manchester Road) and subdivision of the land into two lots.

THE FOLLOWING CONDITIONS ARE PROPOSED FOR THIS APPLICATION:

1. **Within three months of the date of issue**

Unless otherwise agreed to in writing by Council, within three months of the issue date of the planning permit, Engineering Design Plans for the signalling of the intersection of Manchester Road and East Ridge Road must be submitted to the satisfaction of the responsible authority. Such plans must be prepared by a qualified traffic engineer and be informed by a post development SIDRA analysis of traffic flows at the intersection of East Ridge Drive and Manchester Road and include:

 - a. Shared left and right turn lane onto Manchester Road of an appropriate length as informed by the SIDRA analysis.
 - b. A 16 metre wide road reserve for East Ridge Drive with a 7.3 metre wide carriageway
 - c. A 1.5 metre wide footpath and associated verge maintained on the south side of East Ridge Drive
 - d. A 2.5 metre wide shared bike and pedestrian path and associated verge maintained on the north side of East Ridge Drive
 - e. Appropriate Grades
 - f. Appropriate sight lines
 - g. Pedestrian crossings on the western (East Ridge Drive) and northern (Manchester Road) approaches of the intersection.
2. Unless otherwise agreed to in writing by Council, within three months of the issue date of the planning permit, the owner must enter into an agreement or agreements under Section 173 of the *Planning and Environment Act 1987* (the Act) with the responsible authority which provides for:
 - a. The implementation of the Design Plans for the signalisation of the intersection of Manchester Road and East Ridge Road approved under this permit by the land owner;
 - b. Council to reimburse the owner 50% of the value of the signalisation of the intersection within Manchester Road over a 5 year period, cost adjusted for inflation. In calculating the reimbursement, the cost of the construction of the intersection works as shown on plans prepared by Clark Hopkins Clark, dated 6/5/22, Revision A will be deducted from the reimbursement and no works within the subject land will be included as outlined in Section 173 Agreement AS706540D dated October 2019, unless agreed to by the responsible authority.
 - c. Development of the land must be undertaken in accordance with the endorsed plans and conditions for Planning Permit YR-2021/1040 (or as amended from time to time), unless further written consent is obtained from the responsible authority; or where no planning permit would otherwise be

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required by the Yarra Ranges Planning Scheme for any alterations to existing independent living units and/or dwellings to the satisfaction of the responsible authority.

- d. Independent living units on lot A are to be used for the purpose of a retirement village only.
- e. A Schedule of Development Contributions as required to be paid to the responsible authority by condition 57 of this permit. This schedule must outline the breakdown of land areas and timing of each contribution to be made to the satisfaction of the responsible authority, ensuring that the entire site area is provided for.
- f. The owner / developer of the land must ensure that the East Ridge Drive road reserve is suitably barricaded and / or fenced until such time as East Ridge Drive is made available for public use to the satisfaction of the responsible authority.
- g. The owner / developer of the land takes responsibility for the removal and disposal of any refuse or items discarded within the road reserve (including all costs incurred) prior to it being made available for public use to the satisfaction of the responsible authority.

It is further required that this agreement must be registered at the Office of Titles pursuant to Section 181 of the *Planning and Environment Act 1987* prior to commencement of works. This agreement must be prepared and executed at the owner's expense.

3. **Bulk Earthworks**

Prior to commencement of any works on site, a bulk earthworks plan for the site must be submitted to and approved by Council. Once approved, the plans will be endorsed and will form part of the permit. The bulk earthworks plan is inclusive of (but not limited to) retaining walls, pilings, interim drainage and approved services and must show:

- a. The development layout generally in accordance with Condition 1 of this permit, noting that this layout is not approved under the bulk earthworks plan;
- b. Tree Protection Fencing to the extent of the Tree Protection Zone of all third party trees and trees to be retained in accordance with permit condition 29. Where building works are within the confines of the Tree Protection Zone, then the Tree Protection Fencing must be taken in to only the minimum amount necessary to allow the building works to be completed;
- c. Trees to be removed on site;
- d. The outline of the area where works are proposed to be conducted (no detail of the works to actually be shown);
- e. The extent of proposed cut / fill throughout the site at 250mm intervals;
- f. Suitable levels / contours of finished surface levels to Australian Height Datum;
- g. Details of any batters within the subject site or consents from adjoining property owners to batter into adjoining properties;
- h. The location of any temporary stockpiling;
- i. Suitable cross-sections throughout;
- j. Retaining walls;
- k. Documentation confirming how drainage will be managed as part of the cutting / filling operations;
- l. A notation stating that this plan does not constitute engineering approval for civil infrastructure and that approval of details engineering plans is required prior to the installation of any civil infrastructure;

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- m. The location of interim on-site stormwater detention areas and measures to direct stormwater to these;
- n. Bulk earthworks interim drainage plan required by condition 4;
- o. Construction Management Plan required by condition 12;
- p. Evidence that vegetation offset requirements have been satisfied as required by condition 27;

This plan and associated works is inclusive of (but not limited to) retaining walls, pilings, interim drainage and infrastructure service designs approved under any other permit condition. Approval of this plan does not satisfy the requirement for the submission and approval of any other plan or document under any other condition of this permit.

- 4. Prior to the commencement of bulk earthworks, an interim drainage plan must be submitted for the bulk earthworks stage to the satisfaction of the responsible authority. The plan must detail the location, capacity and construction details of interim on-site stormwater detention areas for lot 1 and lot S6 and measures to ensure that drainage is directed to these areas. Interim drainage areas must be designed and constructed to a standard so that stormwater is contained on site for the duration of development or in the event that development stages are not commenced.
- 5. Prior to the commencement of any works on the site (including bulk earthworks), the permit holder must advise all persons undertaking the vegetation removal and works on site of all relevant conditions of this permit.
- 6. Before any works for bulk earthworks as shown on the bulk earthworks plan start a Site EMP for bulk earthworks (filling) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in accordance with the relevant conditions of this permit. The Site EMP for bulk earthworks (filling) must consider temporary and interim drainage arrangements to ensure there is no adverse impact on neighbouring properties as a result of the bulk earthworks (filling) prior to the carrying out of works for the ultimate drainage infrastructure under the permit.
- 7. For the duration of any bulk earthworks (cutting / filling) occurring on site, the following conditions must be complied with to the satisfaction of the responsible authority:
 - a. Civil infrastructure which requires approval of detailed engineering plans by Council and / or supervision by Council contractors must not be installed without the written consent of the responsible authority.
 - b. The proposed cut and fill works on this property must not impede the natural flow of water through any existing watercourses where such a blockage would create any additional flooding that will be detrimental to the properties surrounding this site or deprive any surrounding properties from a reasonable flow of water through the watercourse.
 - c. Stormwater must continue to flow through the site.
- 8. Unless otherwise approved in writing by the responsible authority, if the Eastridge Drive extension road is not completed or building works for any stage are not commenced within 6 months of the completion of bulk earthworks, all disturbed areas shall be hydro-mulched with an approved seed and fertilizer mixture to suppress dust and prevent any erosion or siltation either on or adjacent to the land, except those areas set aside for roadways and footpaths, to the satisfaction of the responsible authority.
- 9. Unless otherwise approved in writing by the responsible authority, all areas to be cut

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or filled shall be stripped of vegetation and any topsoil shall be removed and stockpiled for reuse.

10. Amended Plans

Prior to the commencement of the development (excluding bulk earthworks, piling and retaining walls, in-ground servicing) and the issue of the statement of compliance 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 be generally in accordance with the plans considered by Council on 27 September 2022 prepared by Clark Hopkins Clark (*Rev B dated 6 May 22, Job No. 210085*), but modified to show:

Environmentally Sustainable Design (ESD)

- a. ESD initiatives from the Sustainability Management Plan marked on the plans, including those for Energy, Water, IEQ and Stormwater;

Public Roads

- b. East-Ridge Drive with a 16 metre wide road reserve and a 7.3 metre wide carriageway;
- c. Traffic signals at the intersection of East Ridge Drive and Manchester Road
- d. A notation that existing footpaths on both sides of Hedwig Drive are to be extended into the subject land at the cost of the developer with the footpath constructed at grade within the Tree Protection Zones of trees within Hedwig Drive to be retained.
- e. A notation that Hedwig Drive access at the south boundary is for bicycle and pedestrian access only.
- f. The location and details of permanent bollards/structures so that there is no ability for motorised vehicle through traffic to move through this section of the site.
- g. The overall road reserve width of the Hedwig Drive and Road C to be a minimum of 16 metres wide with a carriageway width of 7.3 metres.
- h. A roundabout at the intersection of East Ridge Drive and Hedwig Drive and/or provision of speed management treatment(s) along the straight section of East Ridge Drive (every 80 metres).
- i. A 1.5 metre wide concrete footpath on Fletcher Road along the road frontage of the site up to the adjacent crossover to the west.
- j. Existing footpaths on both sides of Hedwig Drive extended into the subject site to the satisfaction of the responsible authority.

All development

- k. Evidence of the vegetation offsets being secured as required by Condition 27 of this permit;
- l. Location and areas of bin storage areas for all accommodation types (townhouse dwellings, apartment dwellings, retirement village independent living units and residential aged care facility) in accordance with the endorsed Waste Management Plan. Storage areas must be screened and must not be located within front setbacks
- m. Location and areas of a minimum of 6 cubic metres of storage to each dwelling and for all accommodation types (townhouse dwellings, apartment dwellings and retirement village independent living units) except for the residential aged care facility.
- n. Minimum internal dimensions of 3 metres for all bedrooms
- o. All dwellings/lots clearly numbered
- p. Balconies balustrading to incorporate screening to minimise balconies from

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being visible from common areas and the public realm.

- q. Internal dimensions for single garages a minimum 3.5 metres by 6.0 metres and double garages a minimum 5.5 metres by 6.0 metres. These areas must be shown to be clear of any obstructions to the satisfaction of the responsible authority. Garage doors must also be dimensioned and of adequate dimension to allow unimpeded access to every car parking space.
- r. Tree Protection Fencing to the extent of the Tree Protection Zone of all third party trees and trees to be retained on the land in accordance with permit condition 29.
- s. A plan notation which states where building works are proposed within the any Tree Protection Zone, then the Tree Protection Fencing must be taken in to only the minimum amount necessary to allow the building works to be completed, and works under the supervision of a qualified arborist.
- t. All columns in all apartment building car parks shown and located in accordance with the clearance to car parking spaces provisions of Clause 52.06-09 Diagram 1.
- u. Balconies to be a minimum 8 square metres in area with a minimum width of 1.6 metres with direct access from a living room for Fletcher Road Apartment building, Apartment Building 1 and Apartment Building 2
- v. Any changes to the plans required as a result of the preparation of amended documentation pursuant to conditions 11 – 20 of this permit.
- w. Removal of references to lot layouts and boundaries of land along the southern boundary of the site which does not form part of this application. A notation must be added stipulating that subdivision of this this area is subject to a separate application.

Lot A

- x. Provision of a controlled vehicle access point (limited to emergency vehicle access only) for Road 1 at its intersection with East Ridge Drive adjacent to the intersection with the Hedwig Road extension
- y. Pedestrian access extended to Fletcher Road from Road 3A.
- z. Pedestrian access provided to Manchester Road from the northern end and southern end of Road 2C to meet the central pedestrian ramp to the north of Road 2B.
- aa. The following changes to the Fletcher Road Apartment building:
 - i. Apartment 2 and 3 provided with a west facing master bedroom
 - ii. Apartment 1 provided with a secluded private open space area to the west accessed off the master bedroom
 - iii. All apartments to be two bedrooms or less (including a study) to only require one car parking space per apartment.
- bb. Section J-J described as Road 1 and 4b (not Internal East/West Road)
- cc. Parallel car spaces dimensioned at 2.3m width
- dd. The 90 degree car spaces on Road 2a dimensioned to be in accordance with the requirements of Clause 52.06 to the satisfaction of the responsible authority.
- ee. A path connection on Road 5 to Road 6 across Road 2b and at least one pram crossing connection across each road at all other appropriate intersections to the satisfaction of the responsible authority.

Lot S6

- ff. Bicycle parking spaces for Apartment 1 and Apartment 2 dwellings dimensioned and located in a secure cage enclosure in accordance with

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Clause 52.34 (car park door is not adequately secure).

- gg. Provision of a 2m high paling fence on the south common boundary at the cost of the developer.
- hh. The apartment building 1 (apartments 5 and 6) and apartment building 2 (apartments 6 and 7) south facing habitable room windows and south edge of decks screened in accordance with Clause 55.04-6 and Standard B22.
- ii. Apartment building 1 basement plant room to be fully enclosed on its south and west walls.

All of the above must be to the satisfaction of the responsible authority.

11. **Landscape Plan**

Prior to the commencement of buildings and works on the land, (excluding bulk earthworks, piling and retaining walls, in-ground servicing) a Landscape Plan, generally in accordance with Landscape response prepared by Tract dated 20/4/2022, must be submitted to and approved by the responsible authority. When approved the plans will be endorsed and will form part of the permit. The amended Landscape Plan must show:

- a. Building and site levels and all landscape areas.
- b. All existing trees that are proposed to be retained.
- c. Provision of semi mature large native canopy trees at regular spacings including
 - i. A minimum of four (4) between the aged care facility and the west property boundary.
 - ii. A minimum of three (3) between the apartment building 1 and the south property boundary.
 - iii. A minimum of three (3) between the apartment building 2 and the south property boundary.
- d. A Plant Schedule which includes a minimum of 50% indigenous plant species and does not include any listed environmental weeds known in the Yarra Ranges Council. Trees should be chosen from the Yarra Ranges Council's Vegetation Community No. 38 to the satisfaction of the responsible authority.
- e. Standard landscape notes in relation to soil preparation, irrigation of planting beds, replacement of dead plants and planting technique for trees and shrubs.
- f. Adequate instruction on the Landscape Plan for the protection of existing vegetation to be retained during construction.
- g. The geographical location of all plant species proposed in the Plant Schedule on the Landscape Plan.
- h. The botanical name, common name, quantity, average size at maturity and intended pot size for each plant species in the Plant Schedule of the Landscape Plan.
- i. The type of irrigation listed on the Landscape Plan with no spray irrigation, (which is not a water efficient option) - drippers or aqua hose preferred.
- j. A note on the Landscape Plan specifying that all planted areas will to be mulched to a minimum 75mm thickness using an appropriate timber species such as Pine or local common Eucalyptus species avoiding rare timber species such as Red Gum or Jarrah.
- k. A 24 month maintenance plan with notes on appropriate weed control, irrigation, mulch replenishment, dead plant replacement and pruning is included on the Landscape Plan to ensure the successful establishment, and on-going health, of new planting.
- l. New lawn areas on the Landscape Plan being established with seed from a

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non-invasive grass species. Appropriate grass species include Queensland Blue-grass (*Dicantheum sericeum*), Red-leg Grass (*Bothriochloa macra*), Weeping Grass (*Microlaena stipoides*), Creeping Bent Grass (*Agrostis stolonifera*), Clustered Wallaby Grass (*Danthonia racemosa*), Kentucky Blue-grass (*Poa pratensis*), Tall Fescue (*Festuca arundinacea*).

- m. Timber edging around lawn areas or garden beds that does not utilise Jarrah, Red Gum or Native (White) Cypress Pine (*Callitris columellaris*) unless it can be demonstrated that they are a recycled product. Acceptable products include treated pine, recycled plastic, moulded concrete, plantation grown Sugar Gum, brick edging or local stone.

East Ridge Drive and Public Road landscaping on Lot S6

- n. The proposed road reserve widths including proposed areas within the road reserves set aside for the retention of existing vegetation and indicative road reserve cross-sections with street tree planting shown.
- o. The general layout of street tree plantings including the proposed tree species,
- p. Details of grass planting

Storm management zone on lot S6

- q. Canopy trees and grass species only.

12. **Construction Management Plan**

Prior to the commencement of buildings and works on the land, including bulk earthworks, a "Construction Management Plan" (CMP) for that stage of work must be prepared to the satisfaction and approval of the responsible authority, detailing how the owner will manage the environmental and construction issues associated with the development. When approved, the Construction Management Plan will be endorsed and will then form part of the permit. The Construction Management Plan may be approved in stages in accordance with the approved staging sequencing. The Construction Management Plan must:

- a. Manage construction and site activities during construction to minimise impacts on adjoining residential properties to the south as much as practicable;
- b. Address occupational health and safety, traffic management and environmental controls to the satisfaction of the responsible authority;
- c. Include 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;
- d. Show where any equipment, machinery, construction wastes and/or earth is to be stored/stockpiled during construction;
- e. Show the location of any temporary buildings or yards;
- f. Include measures to control erosion, sediment and sediment laden water runoff including the location and details of techniques / structures proposed;
- g. Include measures to reduce the impact of noise, dust and other emissions created during the construction process;
- h. Demonstrate all environmental protection measures identified on a scale drawing(s);
- i. Include measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system;
- j. Include means by which foreign material will be restricted from being deposited on public roads by vehicles associated with the building and works on the land to the satisfaction of the responsible authority;
- k. Identify the location and method of any Tree Protection Zones;
- l. All machinery bought on the site must be weed and pathogen free;

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- m. All machinery wash down, lay down and personnel rest areas must be clearly fenced and located in disturbed areas;
- n. Contractors working on the site must be inducted into an environmental management program for constructions works;
- o. Best practice erosion and sediment control techniques must be used to protect any native flora and fauna; and
- p. Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of subdivision.
- q. Initial ingress and egress from the subject land must be to the satisfaction of the responsible authority, until such time as the intersection at Manchester Road including the turning lanes have been constructed.
- r. Ingress and egress from the subject land managed, with strictly no access from Hedwig Drive.
- s. Parking areas and vehicular access for tradespeople working at the site with parking areas to be contained wholly within the site. No parking of vehicles must occur outside of the subject site to the satisfaction of the responsible authority.

All works must be carried out generally in accordance with the measures set out in the Construction Management Plan approved by the responsible authority. Any approved Construction Management Plan may be amended with the prior written consent of the responsible authority.

13. **Waste Management Plan**

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing), on the land a Waste Management Plan must be submitted to and approved by the responsible authority. When approved the Waste Management Plan will be endorsed to form part of this permit. The Waste Management Plan must be generally in accordance with the submitted Waste Management Plan (*V4 dated 14/4/2022 prepared by Ratio*) but modified to include:

- a) Storage for up to four different bins including a glass service in the development for all accommodation types that will be serviced with a Council waste collection.
- b) For any accommodation types being serviced by a private waste collection, satisfactory provision must be made for the collection of four streams of waste to the satisfaction of the responsible authority.
- c) Location and areas of bin storage areas for all accommodation types. Storage areas must be of a sufficient size for the required number of bins to be utilised. Storage areas are to be screened, not located within front setbacks and not located within car spaces / garages.
- d) Provision for a 240 litre recycle bin for all townhouse dwellings.
- e) Bin collection pads at suitable locations for each townhouse where bin collection is not available directly to the front of that townhouse to the satisfaction of the Responsible Authority.
- f) Clear identification of all dwellings / residences which require a private waste collection service, on the plan and in a separate schedule.

14. **Sustainability Management Plan**

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing) an amended Sustainability Management Plan (SMP) must be submitted to and approved by the responsible

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authority. When approved the plans will be endorsed and will then form part of the permit. The amended SMP must be in accordance with the Sustainable Development Consultants report V5 dated 18/4/22 and must address the following:

- a) Minimum of 7-star NatHERS rating for each Class 1 dwelling with preliminary NatHERS ratings included in SMP for thermally representative selection. Minimum 7.4 star average for Class 2 (apartments) with preliminary NatHERS ratings included in SMP for thermally representative selection. Overall, the development is to achieve an average of 7.3 stars.

The development must be constructed in accordance with the requirements/recommendations of the approved SMP to the satisfaction of the responsible authority. Prior to the occupation of each stage of the development, a report from the author of the SMP, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the responsible authority. The report must be to the satisfaction of the responsible authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved Plan.

15. **Water Sensitive Urban Design (WSUD) Plan**

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing), a detailed Water Sensitive Urban Design (WSUD) Plan must be submitted to the satisfaction of the responsible authority and be approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must show:

- a) Roofed area of the residential aged care facility draining to an 80KI rainwater tank
- b) The retirement village and aged car facility roads, paths, remaining roofs and vegetated areas to drain to a 210 square metre raingarden.
- c) Lot S6 to drain to a 100 square metre raingarden.
- d) All toilets connected to recycled water.
- e) The type of WSUD stormwater treatment measures to be used;
- f) The location of the WSUD stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaping areas;
- g) Design details of the WSUD stormwater treatment measures, including cross sections, materials, plants and drainage directions;
- h) A construction and maintenance schedule.
- i) The plans must be accompanied by a report from an industry accepted performance measurement tool.

The WSUD treatments as shown on the endorsed WSUD Plan must be completed to the satisfaction of the responsible authority before the development is occupied and/or the use starts or at such later date as is approved by the responsible authority in writing.

The WSUD treatments as shown on the endorsed WSUD Plan must be maintained in accordance with the endorsed WSUD Plan to the satisfaction of the responsible authority.

16. **Public Infrastructure Plan**

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing) the submission and / or the certification of the plan of subdivision a Public Infrastructure Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the Public Infrastructure Plan will be endorsed to form part of the permit. The Public Infrastructure Plan must address the following:

- a. What land may be affected or required for the provision of public infrastructure

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works and the timing of when such land will be provided.

- b. The provision, staging and timing of stormwater drainage works, including any temporary drainage and detention works approved by Melbourne Water and the responsible authority.
- c. The provision, staging and timing of road works (including intersections) internal and external to the land consistent with any relevant traffic report or assessment.
- d. The provision of public open space and tree reserves.
- e. The landscaping of any land.

17. **Functional Layout Plan**

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing) the submission and approval of a public infrastructure plan and the engineering construction plan and / or the certification of the plan of subdivision functional layout plan must be submitted to and approved by the responsible authority. When approved, the functional layout plan will be endorsed and will then form part of the permit. The functional layout plan must be drawn to scale, with dimensions, and must show as relevant to the satisfaction of the responsible authority:

- a. The proposed drainage network including Council and Melbourne Water main drains, special features (overland flow paths, outfall drains, wetlands and/or waterways, detention and WSUD systems);
- b. The drainage discharge point for all lots;
- c. Cross sections for each road that include all underground and overhead services;
- d. Topography, including contours of the land and affected adjacent land;
- e. Details of any easements required for drainage.

18. **Engineering Construction Plans**

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing), and / or the certification of the plan of subdivision:

- a. Detailed engineering construction plans must be submitted to, and approved by the responsible authority
- b. 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 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>
- c. Outfall drains and other drainage of the subject land for residential purposes must be provided by underground drainage systems catering for up to 1 in 5 year storm return periods. Flows in excess of 1 in 5 year storm return periods, up to and including 1 in 100 year storm return periods must be accommodated in separate channels and/or within the road reserves and/or within the provided drainage system.
- d. Stormwater detention systems must be constructed to control all surface runoff from the subdivision to ensure the maximum discharge from the property does not exceed the existing discharge, to the satisfaction of the responsible authority and Melbourne Water as appropriate.
- e. All proposed easements and reserves for existing or required utility services and roads on the land must be set aside in the Plan of Subdivision for each

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stage submitted for certification in favour of the relevant authority for which the easement or reserve is to be created. Except with the consent of the responsible authority, easements on reserves will only be permitted on areas set aside as unencumbered open space if the easement is shown to have no detrimental impact on the use for which the reserve has been set aside.

- f. Provision must be made for the drainage of each allotment shown on the endorsed plan(s) to the requirements and satisfaction of the responsible authority.
- g. All details of works needs to be consistent with the endorsed plans and / or certified plan of subdivision.

19. Stormwater management strategy

Prior to the commencement of buildings and works, (excluding bulk earthworks, piling and retaining walls, in-ground servicing), the submission and approval of a Functional Layout Plan and / or the certification of the plan of subdivision, a revised stormwater management strategy must be submitted to and approved by the responsible authority. The amended strategy must be to the satisfaction of the responsible authority and Melbourne Water. The strategy must be generally in consistent with the Alluvium Stormwater Management Strategy subject to any amendments agreed to by the responsible authority.

20. Storm Management Zone and Public Open Space Plans

Except with the written consent of the responsible authority, prior to the commencement of the development of lot S6, (excluding bulk earthworks, piling and retaining walls, in-ground servicing), detailed engineering designs and computations of the public roads, the storm management zone and public open spaces (including tree reserves) on lot S6 must be submitted to and approved by the responsible authority.

These plans must be prepared in consultation with Council's urban design and recreation services, to the satisfaction of the responsible authority and include services to the satisfaction all service providers. The plans must show

- a) A 16 metre wide road configuration for the extension of Hedwig Drive to operate in a north and south direction.
- b) Permanent bollards to be erected to stop any vehicle access from the existing Hedwig Drive road reserve to the south of the site, to the satisfaction of the responsible authority.
- c) Pedestrian ramps in public open spaces on Lot S6 as identified on TP018 to be DDA compliant
- d) The storm management zone on Lot S6 to include:
 - i. A 1.5 metre wide concrete shared bike / pedestrian path around the perimeter
 - ii. A public bench
 - iii. Access to the detention system from Eastridge Drive with a concrete apron adjacent to the detention system sufficient to bare the weight of service trucks.

21. General / Miscellaneous

The layout of the site and the size of any proposed buildings and works shown on the endorsed plans shall not be altered or modified without the written consent of the responsible authority.

22. The use of any land or building or part thereof as shown on the endorsed plans must

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not be altered or modified without the written consent of the responsible authority.

23. **East Ridge Drive Section 173 Agreement Requirements**

Prior to the commencement of the development, excluding bulk earthworks, East Ridge Drive to the west of the subject land must be upgraded to the satisfaction of the responsible authority in accordance with Section 173 Agreement AS706540D dated October 2019.

24. **Traffic Requirements**

The future road reservation of Hedwig Drive (Road B) must be a minimum 16 metres width to allow two way vehicle access if required in the future to the satisfaction of the responsible authority. Bollards must be installed at the current termination point of Hedwig Drive to the satisfaction of the responsible authority.

25. Prior to the practical completion of Stage 1, or by such other time as agreed to by the responsible authority, the following works must be constructed at the full cost of the developer:

- a) A 1.5 metre wide concrete footpath on Fletcher Road along the road frontage of the site up to the adjacent crossover to the west;
- b) DDA compliant bus stop hardstands mat at the existing bus stops on Fletcher Road and Manchester Road
- c) A signed pedestrian crossing at the existing bus stop on Fletcher Road in accordance with the Memorandum of Authorisation of the Department of Transport.

26. **Vegetation Removal**

To offset the removal of 0.070 hectares of native vegetation as shown in approved Native Vegetation Removal Report (Report ID: 377-20220412-013), the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:

- A general offset of 0.012 general habitat units:
 - located within the Port Phillip and Westernport Catchment Management Authority boundary or Yarra Ranges Council municipal district
 - with a minimum strategic biodiversity value score of at least 0.112
- 1 Large tree

27. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:

- Credit extract(s) allocated to the permit from the Native Vegetation Credit Register, and/or;
- 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.
- A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

28. This permit authorises the removal of trees in the Fletcher Road reserve numbered 1, 2 and 4, trees on site numbered street trees 3, 9, 10, 12-31, 33-35, 35A, 36A, 37-40, 66, 76-80 and trees in the Manchester Road reserve numbered 91, 96, 102, 104, 115, 116 and 117 as shown on the arborist report (Galbraith & Associates).

All other trees must be retained to the satisfaction of the responsible authority.

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29. **Tree Protection Requirements**

Prior to the commencement of buildings and works on the land, including bulk earthworks, temporary Tree Protection Fencing must be erected in accordance with the endorsed plans to identify a construction exclusion zone to the satisfaction of the responsible authority and must:

- a. Exclude access and construction activity within the Tree Protection Zone (TPZ) of retained trees. If trees have not been assessed by an arborist, the TPZ is a circle with a radius equal to 12x the trunk diameter measured at 1.4m above ground level, and
- b. Have a minimum height of 1.8 metres and comply with Australian Standard AS-4687 for temporary fencing and hoardings, and
- c. 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 public use of a road or footpath, and
- d. 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 TPZ of tree(s) as per the endorsed plans. Fencing must be modified in line with the footprint of the approved works only and must be supervised on site by a qualified arborist.

30. **Roadside Tree Requirements**

Prior to the commencement of buildings and works on the land the permit holder must contact Council's arborist to arrange for any approved roadside tree removal at the permit holder's cost.

31. Prior to the removal of roadside trees, a cost recovery fee of \$400 per tree must be paid to Council for the planting of new trees. New trees will be planted at a time and location determined by the responsible authority.

32. **Landscape Requirements**

The landscape works as shown on the endorsed plan must be carried out prior to occupation of each stage of the permitted development, or if not occupied, within three months of completion of the permitted development. With written consent of the responsible authority landscaping may be deferred to the first planting season (May to September) following the completion of the permitted buildings and/or works. New planting must be maintained or replaced as necessary to the satisfaction of the responsible authority.

33. **Architecture Requirements**

As part of the consultant team Clark Hopkins Clarke Architects or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design, quality and the appearance of the approved building is executed to the satisfaction of the responsible authority.

34. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
35. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the responsible authority.
36. The plant and equipment proposed on the roof of buildings must be screened in a manner to complement the appearance of the building to the satisfaction of the responsible authority.
37. All external lighting must be designed, baffled and/or located to ensure that no loss

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of amenity is caused to adjoining and nearby land, to the satisfaction of the responsible authority.

38. **Waste Management**

Provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the responsible authority.

39. All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must be kept in a storage area screened from view to the satisfaction of the responsible authority.

40. All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour to the satisfaction of the responsible authority.

41. **Engineering and Stormwater Requirements**

Storm water must not be discharged from the site other than by means of an underground pipe drain discharged to an approved outlet to the satisfaction of the responsible authority.

42. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates, or into a watercourse or easement drain, but must be treated and/or absorbed on that lot to the satisfaction of the responsible authority.

43. Except with the written consent of the responsible authority, the 10 year maintenance regime must be undertaken by the land owner of the asset prior to Council taking on the management responsibility of this asset.

44. Prior to the commencement of buildings and works for each stage of the development, (excluding bulk earthworks, piling and retaining walls, in-ground servicing), retention system/s must meet the following conditions to the satisfaction of the responsible authority/s in accordance with the Approved Stormwater Management / Drainage Strategy:

- a) Control volume and treatment of all runoff by retention and water sensitive urban design elements, must include catchments within and external to the subdivision where these catchments are deemed to be affected by, or have an effect on, the subdivision.
- b) All treatment must be designed in accordance with appropriate standards and guidelines including Melbourne Water's "Constructed Wetlands Guidelines".
- c) All urban storm water systems must incorporate measures to satisfy the objectives of "Best Practice Environmental Management Guidelines" (CSIRO 1999) or later publications as relevant.

45. The owner or developer of the subject land must ensure that wherever the 'As Constructed' construction plans for road works and drainage show fill exceeding 300mm compacted depth, the extent and depth of filling must be made known to any prospective purchaser of such lot.

46. **Environment Management**

The land must be filled and constructed in a manner that does not:

- a) Cause an unreasonable amount of dust to be carried onto nearby land; and
- b) Adversely affect the drainage of adjacent land.

47. Appropriate sediment control measures must be undertaken during construction to ensure that the development site is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

48. All works must be undertaken in a manner that minimises soil erosion and adhere to Construction Techniques for Sediment Pollution Control, EPA 1991, and any

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exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.

49. All construction activities associated with the subdivision must be managed by the owner/developer to limit any inconvenience to existing residents in the vicinity of the works to the satisfaction of the responsible authority. The matters to be considered include but are not limited to site access, times of operation, dust, vibration, stormwater runoff etc.
50. The works must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) Transport of materials, goods or commodities to and from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
51. All green waste generated from the clearing of land during the construction phase must be mulched for reuse on site or transported from the site and lawfully disposed of as appropriate. Green waste must not be burnt on site.
52. **Engineering Fees**

Before approval of the engineering plan/s submitted under Section 15(1) of the *Subdivision Act* 1988, the developer must pay Council an amount equivalent to 0.75% of the estimated cost of constructing the works proposed on the engineering plan.
53. **Actions required prior to occupation**

Except with the written consent of the responsible authority prior to the occupation of any dwelling on lot S6 the storm management zone and public open spaces on lot S6 must be constructed in accordance with the endorsed plans required by condition 20 of this permit to the satisfaction of the responsible authority.
54. Prior to the occupation of any dwelling / residence (including aged care unit; independent living unit, apartment, townhouse and the like), East Ridge Drive must have reached a stage of practical completion to the satisfaction of the responsible authority and be accessible to the public as a public road.
55. 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 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.
56. Unless otherwise agreed to in writing by Council, prior to occupation of any dwelling and / or residence (including the aged care facility and apartment buildings), the owner must enter into an agreement or agreements under Section 173 of the *Planning and Environment Act* 1987 (the Act) with the responsible authority which provides for:
 - a. Unless Council consents to the collection of waste from the aged care facility or any other residence / dwelling identified in the endorsed Waste Management Plan as intended to receive private waste collection; the owner of the site must engage the services of a private waste contractor to collect and dispose of waste generated on site, including all commercial, domestic and recyclable waste;
 - b. All owners and occupiers that are nominated to receive a private waste collection as identified in the endorsed Waste Management Plan, forfeit the right to utilise the municipal domestic waste collection service, unless

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otherwise agreed by the Responsible Authority in writing;

- c. This agreement is to be applied to each subsequent lot title created from the parent title;

It is further required that this agreement must be registered at the Office of Titles pursuant to Section 181 of the *Planning and Environment Act 1987* prior to commencement of works. This agreement must be prepared and executed at the owner's expense.

57. **Development Contribution**

The Owner must pay to Yarra Ranges Council a Development Contribution as agreed in the clause outlined in the Section 173 agreement required by condition 2 of this permit; and in accordance with Clause 45.06 Development Contributions Plan Overlay Schedule 1 – Chirnside Park Major Activity Centre Development Contributions Plan.

58. **Statement of Compliance**

Except with the consent of the responsible authority before the issue of a Statement of Compliance of the subdivision under the *Subdivision Act 1988* (excluding bulk earthworks, piling and retaining walls, in-ground servicing) the following actions must occur:

- a) The developer must construct in accordance with the approved detailed construction plan/s and to the satisfaction of the responsible authority:
 - i. East Ridge Drive, including traffic management devices, kerb and channel, footpaths and shared foot/cycle paths;
 - ii. Drainage, detention systems and any water sensitive urban design features in East Ridge Drive;
 - iii. Fibre optic conduits;
 - iv. Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid;
 - v. Any tree protection fencing;
 - vi. Lighting of roads and pedestrian/cycle paths designed and provided in accordance with Australian Standard 1158.1.
 - vii. The signalised intersection at Manchester Road and East Ridge Drive at the cost of the owner in accordance with the Section 173 agreement,
 - viii. The footpath in Fletcher Road and Hedwig Drive as shown on the endorsed plans.
 - ix. Upgraded bus stops in Fletcher Road and Manchester Road
- b) Where statement of compliance is being sought despite condition 58(a)(i) not having reached a stage of practical completion; an outstanding works bond must be paid to allow Statement of Compliance to occur. The outstanding works bond is required to be 150% of the value of the uncompleted works based on an agreed estimate of the cost to deliver the future works and agreed to by Council.

The outstanding works bond may be in the form of either a cheque or bank guarantee or other approved form (i.e., insurance bond) to the satisfaction of the responsible authority. A request to utilise an outstanding works bond must be made in writing and be supported by a clear and achievable program for the completion of the works to the satisfaction of the responsible authority.
- c) Any temporary drainage or other works as required by the endorsed construction management plan must be installed to the satisfaction of the responsible authority.
- d) Fees must be paid to the responsible authority to cover the costs of ten (10)

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years of maintenance of the traffic signals associated with any signalised intersection with Manchester Road. The applicable fee is to be in line with VicRoads “Standard Requirements — Developer Funded Projects,” to the satisfaction of the responsible authority.

- e) The following must be provided to the responsible authority:
- i. Copies of the “As Constructed” engineering roads and drainage drawings in the format of one A1 tracing per drawing. The responsible authority may determine to accept digital data as an alternative.
 - ii. As constructed measurements as digital data in a GIS ready format of the information component of the subdivision relating to drainage assets and assets with the road reserve in accordance with the current version of D SPEC and R SPEC.
 - iii. Location of any permanent survey marks.

The various road works must be maintained by the owner until this condition has been complied with.

- f) Written advice must be received from the relevant electricity supply authority that the developer has agreed to fund the installation of street lighting to the satisfaction of the responsible authority.
- g) 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.

In lieu of meeting all of the above stormwater quality objectives the owner/developer must demonstrate to the satisfaction of the responsible authority that it has nevertheless achieved the intended outcomes of Clause 56.07-4 of the Planning Scheme in accordance with relevant Practice Notes.

- h) Council outfall drain/s must be constructed to the approved legal point of discharge/s, to the satisfaction of the responsible authority and Melbourne Water as appropriate. Written consent and approval from Council / VicRoads and Melbourne Water would be required for the point of discharge and the construction of the Council outfall drain. 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 the requirements of the approved point of discharge certificate.
- i) Appropriate stormwater detention systems must be constructed to control all surface runoff from the subdivision to ensure the maximum discharge from the property does not exceed the existing discharge, to the satisfaction of the responsible authority and Melbourne Water as appropriate.
- j) The following must be carried out:
- Piped drainage must be constructed to drain all lots in accordance with the endorsed drainage plans, to the satisfaction of the responsible authority.
 - For each stage an inspection / surveillance fee to the value of 2.5% of the estimated cost of the Council road and / or drainage works must be

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submitted and paid to the responsible authority.

- For each stage a maintenance bond to the value of 5% of the estimated cost of the road and/or drainage works must be submitted to the responsible authority.
 - All Council assets must be maintained in good condition and repaired by the developer for a period of 12 months from the date of practical completion to the satisfaction of the responsible authority.
 - Prior to an Off Maintenance inspection and subsequent return of the maintenance bond, “As Constructed” plans of all Council works, together with a video survey record (CCTV report) of the full length of all Council piped drainage, must be submitted to, and approved by, the responsible authority.
 - Flood mapping based on as contracted drawings to be submitted to, and to the satisfaction of the responsible authority. Flood mapping to show there is no overland flow for storm events less than 1 in 5, and clear overland flow paths are provided for up to 1 in 100 year events.
- k) Road works, drainage and other civil works must be provided, in accordance with construction plans and specifications as approved by the responsible authority.
- l) Compaction test results and a report shall be provided to the satisfaction of the responsible authority. The geotechnical engineer responsible for supervision and testing under this condition must be independently engaged by the applicant and not be engaged by the contractor carrying out the works.

Unless with prior written consent of the responsible authority, all existing infrastructure and assets affected by the development must be reinstated at no cost to and to the satisfaction of the responsible authority. Omission of existing infrastructure or assets on a plan cannot be taken as consent from the responsible authority.

59. **Title Office Plans**

The applicant must within four (4) weeks of the registration of the plans at the Land Titles Office send to the responsible authority a Certificate of Title for all land vested in the responsible authority on the plan of subdivision.

60. **Mandatory subdivision conditions**

The owner of the land must enter into an agreement with:

- 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

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.

61. 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:

- 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

a suitably qualified person that fibre ready telecommunication facilities have been

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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.

62. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
63. All existing and proposed easements and sites for existing or required utility services and roads on the land 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 to be created.
64. The plan of subdivision submitted for certification under the *Subdivision Act* 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
65. **Country Fire Authority**
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.
The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
Curves in driveway must have a minimum radius of 10 metres.
Roads / Accessways must provide a minimum trafficable width of 3.5 metres, be clear of encroachments 4 metres vertically and have no obstructions within 0.5 metres either side of the formed width of the road, to the satisfaction of the responsible authority.
66. Operable hydrants, above or below ground must be provided to the satisfaction of the Country Fire Authority.
The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots) must be 120m and hydrants must be no more than 200m apart.
Hydrants must be identified as specified in 'Identification of Street Hydrants for fire fighting purposes' available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au).
67. AusNet Electricity Services Pty Ltd
The applicant must:
- Enter in an agreement with Ausnet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
 - Enter into an agreement with Ausnet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
 - 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.
 - 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

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lots on the endorsed plan and/or abutting land.

- e. Obtain for the use of Ausnet Electricity Services Pty Ltd any other easement required to service the lots.
- f. Adjust the position of any existing Ausnet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.
- g. Set aside on the plan of subdivision Reserves for the use of Ausnet Electricity Services Pty Ltd for electric substations.
- h. Provide survey plans for any electric substations required by Ausnet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. Ausnet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the *Transfer of Land Act* prior to the registration of the plan of subdivision.
- i. Provide to Ausnet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.

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*. • 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.

68. **Yarra Valley Water**

The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services.

69. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of recycled water services

70. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

71. **Melbourne Water**

Finished floor levels of the buildings must be constructed no lower than 108.55 metres to Australian Height Datum (AHD).

72. The Stormwater Management Strategy prepared by Cossill & Webley Revision B dated 17 December 2021 must not be altered without further review and written approval from Melbourne Water.

73. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.

74. **Permit Expiry**

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

- a. The development is not started within three (3) years of the date of this permit. The responsible authority may extend this period if a request is made in writing before the permit expires or within six months afterwards.
- b. The development is not completed within six (6) years of the date of this permit. A request may be made to responsible authority to extend the time to complete a development or a stage of the development if:
 - i. The request for an extension is made within 12 months of the permit expiry.

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- ii. The development or stage has lawfully commenced before the permit expiry.
- c. The Plan of Subdivision is not started within three (3) years of the date of this permit, as evidenced by the plan of subdivision being certified by the Council within that timeframe. The responsible authority may extend this period if a request is made in writing before the permit expires or within six months afterwards.
- d. The registration of the subdivision is not completed within five (5) years of the date of certification. A request may be made to responsible authority to extend the time to complete a development or a stage of the development if:
 - i. The request for an extension is made within 12 months of the permit expiry.
 - ii. The development or stage has lawfully commenced before the permit expiry.

This permit will expire if the permitted use is not commenced within five (5) years of the date of this permit.