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# PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF  
THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.: **PlnE00410/13**  
Planning Scheme: **Casey Planning Scheme**  
Responsible Authority: **City of Casey**

ADDRESS OF THE LAND: 1425 Pound Road, Clyde North (Lot 2, PS431177T)

THE PERMIT ALLOWS: Use and development of a retirement village, and  
associated landscaping.

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

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**Amended Plans**

- 1) Before the use and development starts, amended plans (three copies) shall be submitted to and approved by the responsible authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
  - a) Amendment to road widths and street layout as required by the approved Waste Management Plan (Condition 2)

**Waste and Refuse**

- 2) Before the development starts, a Waste Management Plan (WMP) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved the Waste Management Plan shall be endorsed and shall form part of this permit. The Waste Management Plan must include:
  - a) A detailed site plan drawn to scale identifying the bin placement for every property. Each property requires an area of 1.78 metres in width with 1 metre rear clearance. Bins cannot be collected from a road surface. Plans to also identify the location of all public lighting and letterboxes.
  - b) Site management practices to ensure residents are aware of their obligations under the WMP.
  - c) A description of what arrangements will be made for hard waste collection.
  - d) Proof that adequate, safe access is available for disposal vehicles to access the bins. This needs to be illustrated with a site plan showing turning templates of waste collection vehicles for each stage of the development and if necessary changes shall be made to the road width and layout to Council's satisfaction.

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**Signature for the Responsible  
Authority**

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- e) The owner/operator must comply with the approved Waste Management Plan. The Waste Management Plan may only be amended with the written consent of the responsible authority.
- f) If criteria for Council Waste Collection cannot be met to Council's Waste Management Departments satisfaction, then a separate Waste Management Plan for private waste collection must be submitted to the satisfaction of the responsible authority.

### Endorsed Plans

- 3) The layout of the site and the size, design and location of the buildings and works permitted must be in accordance with the endorsed plan and must not be altered or modified without the further written consent of the Responsible authority.
- 4) The various activities forming parts of the use as shown on the endorsed plans must not be altered without the written consent of the Responsible authority.

### Materials Schedule

- 5) Before the development starts, a schedule of construction materials, external finishes and colours to the satisfaction of the Responsible authority must be submitted to and approved by the Responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.

### Environmental Management Plan

- 6) Fourteen (14) days before the development starts a site specific Environmental Management Plan (Site EMP) must be submitted to and approved by the Responsible authority. The Site EMP must be prepared in accordance with Council's 'Site EMP Kit' to the satisfaction of the Responsible authority. No alterations to the Site EMP may occur without the consent of the Responsible authority. All works must be undertaken in accordance with the approved Site EMP to the satisfaction of the Responsible authority.

### Landscaping

- 7) Before the development starts, a landscape plan for the site and a separate landscape plan for the tree reserve must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible authority. Both plans must be submitted to and approved by the Responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The landscaping plans must be generally in accordance with the landscape masterplan prepared by Beveridge Williams dated January 2014, except that the plans must show:
  - a) Details of surface finishes of pathways and driveways.

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- b) A planting schedule for the site excluding the tree reserve of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant .
- c) Landscaping and planting within all open areas of the site.
- d) Planting densities per square metre and quantities of shrubs/ grasses and hedge plants.

All species selected must be in accordance with the Casey Arterial Roads Tree Strategy (CARTS) and to the satisfaction of the responsible authority. Landscaping must demonstrate the use of sustainable practices and if irrigation is to be provided it must not use potable water. No tree planting is to be undertaken within any easement

- 8) Before the use of the development starts or by such later date as is approved by the Responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 9) 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. For the avoidance of doubt, maintaining landscaping includes the removal and replacement of any dead, diseased or damaged plants.
- 10) Before the building/s are occupied, a permanent screen of trees and shrubs must be planted along the Thompsons Road boundary to provide an effective visual screen to the satisfaction of the responsible authority.
- 11) The garden areas shown on the endorsed plan and schedule must only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the responsible authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.

#### Access

- 12) The driveway for the club house/community centre is to be one way traffic only and signage to be displayed to this effect to the satisfaction of the responsible authority.
- 13) Crossovers shall be designed according to the City of Casey standard drawings and construction to be approved by Works Centre.
- 14) Signage, line marking, pavement arrows must to be in accordance with Australian Standards.

#### Parking

- 15) Before the use or occupation of the development starts, the area/s set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - a) Constructed.
  - b) Properly formed to such levels that they can be used in accordance with the plans.

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- c) Surfaced with an all-weather-seal coat.
  - d) Drained.
  - e) Line marked to indicate each car space and all access lanes.
  - f) Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the responsible authority.
- 16) Car spaces, access lanes and driveways must be kept available for these purposes at all times.
- 17) Disabled parking space(s) must be provided at the appropriate location(s) near the main entrance of the Club house/Community Centre.
- 18) Before the development starts, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 and make application to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act, which provides that:
- a) Council and its contractors are indemnified against any damage to any road or road reserves during collection of garbage, recycling, green and hard waste collection.
  - b) Occupants of all dwellings must be a 'retired person' as defined under the Retirement Villages Act 1986.
- The owner under this permit must pay the Responsible Authority's costs of the preparation, negotiation, execution and registration of the Section 173 agreement required by this condition within 4 weeks of registration of the agreement.

### Security Gate

- 19) Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of six metres inside the property to allow vehicles to store clear of the pavement and footpath.

### Pedestrian Paths

- 20) Internal pedestrian paths must be connected to the external path ways including local streets and arterial roads at the allocated points.
- 21) Paths, pram crossings, crossovers and TGSI's shall be provided to DDA requirements.

### Drainage and Infrastructure

- 22) The stormwater drainage system on the site must be designed such that stormwater runoff exiting the land meets the current best practice performance objectives for stormwater quality, as contained in the Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

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- 23) Before the development starts, drainage construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and three copies must be provided.
- 24) All stormwater drains shall be connected to a legal point of discharge as determined by Council's Drainage Management Engineer. Prior to the commencement of any works on the subject land a site development layout plan together with detailed design plans and specifications for outfall drainage external to the site shall be submitted for approval by the Responsible Authority. All outfall drainage works must be completed to the satisfaction of the Responsible Authority prior to the occupation of buildings.
- 25) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services shown on the endorsed plan in accordance with that authorities requirements and relevant legislation at the time.

#### **Community infrastructure levy and Development Infrastructure Levy**

- 26) A Development Infrastructure Levy must be paid by the applicant to the collecting agency in accordance with the provisions of the approved Development Contributions Plan applying to the land prior to the issue of a Building Permit, or where no Building permit is required, prior to the commencement of works.
- 27) A Community Infrastructure Levy must be paid by the applicant to the collecting agency in accordance with the provisions of the approved Development Contributions Plan applying to the land prior to the issue of a Building Permit, or where no Building Permit is required, prior to the commencement of works.

#### **Electrical Substation**

- 28) Prior to final working drawings being prepared for the development, details of any requirement for an electrical substation within the building shall be ascertained from the relevant servicing authority.

#### **Lighting**

- 29) Public lightings must be installed in accordance with Australian Standards.
- 30) All external lights must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.

#### **Permit Expiry**

- 31) This permit will expire if one of the following circumstances applies:
  - a) The development is not commenced within two (2) years from the date of issue of this permit;

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- b) The development is not completed within six (6) years from the date of issue 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 three months afterwards.

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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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The Responsible authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

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### WHEN DOES THE PERMIT BEGIN?

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

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### WHEN DOES A PERMIT EXPIRE?

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1. A permit for the development of land expires if -
  - \* the development or any stage of it does not start within the time specified in the permit; or
  - \* the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
  - \* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**
2. A permit for the use of land expires if -
  - \* the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - \* the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
  - \* the development or any stage of it does not start within the time specified in the permit; or
  - \* the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
  - \* the use or development of any stage is to be taken to have started when the plan is certified; and
  - \* the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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### WHAT ABOUT APPEALS?

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- \* Any person affected may apply for a review of -
    - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
    - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
    - the failure of the responsible authority to extend the time within one month after the request for extension is made.
  - \* An application for review is lodged with the Victorian Civil and Administrative Tribunal.
  - \* An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
  - \* An application for review must state the grounds upon which it is based.
  - \* An application for review must also be served on the Responsible authority.
  - \* Details about applications for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.
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