

1 March 2016

Jason Black
Officer (Rix Road) Pty Ltd and Officer (Rix Road) No 2 Pty Ltd
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Dear Sir/Madam,

Application No.: T150610
Property No.: 1733550400 and 5000009456TP
Address: Lot 1 on Plan of Subdivision 635137F and Lot 2 on Plan of Subdivision 635137F, 175 Rix Road, Officer and 65 Princes Freeway Officer
Proposal: Multi-lot residential subdivision, subdivision adjacent to a public acquisition overlay, the removal of easements and associated works.

I refer to the above planning permit application and wish to advise that a permit has been granted. Please find enclosed your copy of the permit.

Your attention is drawn to the conditions of the permit. Please read these conditions carefully and check as to whether there are any steps which you need to take prior to commencing the use or the development, including submission of additional plans.

Please be aware that it is your responsibility to ensure that all of the conditions on the permit are complied with and that the permit remains valid. Council does not advise you when the permit will expire.

Please note if the permit relates to a subdivision a change in street number allocation may occur.

This permit should be kept in a safe place for future reference.

If you have any further queries regarding this matter, please contact Council's Development Services department on **03-5943-4508** or mail@cardinia.vic.gov.au

Yours faithfully,



Stephen Powell
Senior Growth Area Planner

PLANNING PERMIT

Form 4

Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

PLANNING PERMIT NUMBER: T150610

ADDRESS OF THE LAND: Lot 1 on Plan of Subdivision 635137F and Lot 2 on Plan of Subdivision 635137F, 175 Rix Road, Officer VIC 3809 and 65 Princes Freeway Officer VIC 3809

THIS PERMIT ALLOWS: Multi-lot residential subdivision, subdivision adjacent to a public acquisition overlay, the removal of easements and associated works, generally in accordance with the approved plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the plan of subdivision is certified, 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 then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans dated 28 January 2016 by Beveridge Williams (Version 10A, Drawing Reference 1200095 ISP), but modified to show:
 - a) The location of electrical substations/kiosks.
 - b) A notation on the plans that Lots 139 to 142 (inclusive) are to have no access from Rix Road.
 - c) The provision of a solid fence along the entire southern boundary of the site in accordance with VicRoads condition 90 of the permit.
 - d) A notation indicating that the section of road along the western boundary of the site between the future roundabout and the first local access street within the development is to be constructed by others when the future roundabout construction is completed in approximately 2020.
 - e) A notation indicating that short term access to the development must be via the 16 metre wide local access street connecting to Rix Road.To the satisfaction of the Responsible Authority.
2. The layout of the subdivision, as shown on the endorsed plan/s, must not be altered or modified without the consent in writing of the Responsible Authority.
3. 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 to each lot shown on the approved plan in accordance with the authority's requirements and relevant legislation at the time.
4. 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.
5. The Small Lot Housing Code forming part of the Officer Precinct Structure Plan (September 2011) applies to the subdivision of the land under this permit and the application of the Small Lot Housing Code must be shown on the approved plan/s, which are part of this planning permit.

Certification:

6. 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 and Clause 66 of the Scheme.

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Signature for the Responsible Authority:



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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

7. Before the plan of subdivision is certified under the *Subdivision Act 1988*, or any other time agreed to in writing by the Responsible Authority, a Public Infrastructure Plan (PIP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the PIP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority.

The PIP must show the proposed location, type, staging and timing of delivery of all infrastructure on the land which is identified in the Officer Precinct Structure Plan, September 2011 (PSP) and Officer Development Contributions Plan (DCP) applying to the land, or which is otherwise reasonably required on or to the land or on any other land as a result of the subdivision of the land. Without limiting the extent of what must be shown on and in the PIP it must include the following to the satisfaction of the Responsible Authority:

- a) Provision of land for the upgrade of Rix Road to a Connector Street Boulevard standard
- b) Provision of land for the roundabout at Rix Road and Brunt Road
- c) Construction of the footpath on the south side of Rix Road abutting the property boundary (part of the upgrade of Rix Road to a Connector Street Boulevard standard)
- d) The staging sequence
- e) Identify any pocket parks and specify that these parks do not contribute towards the subject land's Clause 52.01 Public Open Space Contribution and Subdivision of the Cardinia Planning Schemes obligation.
- f) The extent of any stormwater drainage works and road works proposed or required under this permit.
- g) The land which is required to be set aside for infrastructure identified in the DCP or the PSP including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the DCP.
- h) An estimate of the extent of equalisation which is required in respect of public open space to be provided having regard to the PSP and the DCP.
- i) Subject to the consent of the Collecting Agency, any infrastructure works set out in the DCP which can be provided 'in lieu' of development contributions in accordance with the DCP.
- j) The effects of the provision of infrastructure on the land or any other land.
- k) Any other relevant matter related to the provision of infrastructure reasonably required by the Responsible Authority.
- l) The PIP may be amended with the written consent of the Responsible Authority.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

8. Before the plan of subdivision is certified under the *Subdivision Act 1988*, or at any other time agreed to in writing by the Responsible Authority, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides for:
- The implementation of the Public Infrastructure Plan approved under this permit.
 - The equalisation of open space, if applicable, having regard to the areas set aside in a Plan of Subdivision and the amount specified in the schedule to Clause 52.01 of the Cardinia Planning Scheme; and
 - The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the Development Contributions Plan or the public open space account.

The owner must pay for all reasonable costs (including legal costs) associated with preparing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

9. Before the plan of subdivision is certified under the *Subdivision Act 1988*, or at such other time which is agreed between Council and the owner, where the Small Lot Housing Code applies to lots measuring less than 300sqm in accordance with the Officer Precinct Structure Plan (2011), the Small Lot Housing Code may be applied as a restriction on the Plan of Subdivision or through an agreement under Section 173 of the *Planning & Environment Act 1987* and must be registered on title to the land. The restriction or the agreement must provide for the following:
- The building envelope plan to apply to each relevant lot.
 - All buildings being constructed in accordance with the building envelope on the relevant lot.
 - The construction of a building outside the building envelope only with the written consent of the Responsible Authority; and
 - The Small Lot Housing Code will cease to apply to any building on a lot less than 300sqm after the issue of a Certificate of Occupancy for the whole dwelling and any garage or carport on the land.

To the satisfaction of the Responsible Authority.

10. Before the plan of subdivision is certified under the *Subdivision Act 1988* the permit holder must:
- Provide a report by a qualified plumber stating that all existing septic tank and septic tank systems (including fittings and fixtures) must be removed, the tank contents must be pumped out and the existing waste water treatment system must be decommissioned by a plumber.
 - Submit to Council for approval street and road names proposed for the subdivision.
 - Nominate the telecommunications fibre to the premises (FTTP) network provider to Councils Subdivision Department on Ph: 5945 4224.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

11. Before the submission and approval of detailed design construction plans (engineering plans) and the Certification of the relevant plan of subdivision, a functional layout plan for the subdivision, must be submitted to and approved by the Responsible Authority. The functional layout plan must be generally in accordance with the standards nominated in the Cardinia Shire Council "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the Water Sensitive Urban Design (WSUD) Guidelines.

When approved, the functional layout plan will be endorsed and will then form part of the permit. Three copies of the functional layout plan must be drawn to a scale of 1:500 to acceptable drafting standards and an electronic copy (pdf) must be provided. The functional layout plan must show to the satisfaction of the Responsible Authority:

- a) A fully dimensioned subdivision layout, including proposed street names, approximate lot areas, lot numbers and widths of street reservations.
- b) Topography and existing features, including contours for the subject land and any affected adjacent land.
- c) Identification by survey of all trees (or group of trees) existing on the subject land, including dead trees and those that overhang the subject land from adjoining land.
- d) Details of tree protection zones (TPZs) for all trees to be retained on the subject land.
- e) All trees proposed for removal from the subject land clearly designated.
- f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Development Plan.
- g) Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls.
- h) The proposed minor drainage network and any spatial features requiring access.
- i) The major drainage system, including any watercourse, lake, wetland, sediment pond rain gardens, bio-infiltration system and/or piped elements showing preliminary sizing.
- j) Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination.
- k) Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance.
- l) A table of offsets for all utility services and street trees.
- m) Preliminary location of reserves for electrical kiosks; and
- n) Traffic management plan showing sufficient notional (unmarked) on-street car parking spaces, at the rate of one space per lot, traffic control devices and large vehicle turning overlays.

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Sites that are not adjacent to existing or approved infrastructure will be required to show the following information in addition to the above standard requirements:

- o) The relationship between the subject subdivision stage and surrounding land.
 - p) Proposed linkages to future streets, open space, regional path network and upstream drainage.
 - q) Works external to the subdivision, including both interim and ultimate access requirements.
 - r) Intersections with Category 1 roads showing interim and ultimate treatments.
 - s) Drainage and sewerage outfalls including any easements required over other property.
12. Before the plan of subdivision certified under the *Subdivision Act 1988*, a landscape master plan for the subdivision must be prepared by a suitably qualified person and be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and one (1) copy must be provided in an approved electronic format. The plan must show:
- a) A detailed plant schedule of all proposed tree, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule must be consistent with adjoining sites where roads are continued through. Indigenous plant species should be used where possible.
 - b) Detailed plan showing trees to be removed and trees to be retained. The plan must show the tree protection zones around the trees to be retained.
 - c) Key themes, landscape principles and character that will define the estate development.
 - d) The proposed road reservation widths including areas within the road reserve set aside for the retention of existing vegetation.
 - e) New plantings including their layout are to be provided in any streetscape and road reserves.
 - f) The layout of street tree and reserve plantings using semi-mature trees including the proposed location of evergreen and deciduous tree species.
 - g) Details of the treatment of interfaces with the surrounding road reserves.
 - h) The location of pedestrian and bicycle paths, pavement areas.
 - i) The location, materials, finishes and final set out of paths, areas of pavement, street furniture and structures.
 - j) Details of the entry treatment for the estate.
 - k) Details of fencing, features walls, landscaping and the like.
 - l) Inclusion of the public open space/reserves including the embellishment works within the public open space/reserves.

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- m) Provide an approved vehicle exclusion treatment along the extent of the adjoining district park reserve from the southern boundary of the site to the northern boundary of the reserve.
- n) Provide an approved vehicle exclusion treatment to the 152sqm tree reserve located within the south west corner.

13. Before the plan of subdivision is certified under the *Subdivision Act 1988*, the permit holder must:

- a) Submit to Council for approval, Building Design Guidelines and Fencing Controls for the subdivision.
- b) The Building Design Guidelines and Fencing Controls must be implemented in the form of either a Notice of Restriction or through an agreement with the Responsible Authority under section 173 of the *Planning & Environment Act 1987* on the certified Plan of Subdivision, which is recorded on the Certificate of Title of the land. The owner of the land or permit holder must pay all reasonable costs of the preparation, execution and registration of the section 173 Agreement including the reasonable costs of the Responsible Authority.
- c) The restriction or agreement for the building design guidelines and fencing controls guidelines must to the satisfaction of the Responsible Authority and include the following:
 - i. Building envelopes for each lot, which generally accord with the standards of Clause 56.04-2 of the Cardinia Planning Scheme. No building or part of a building may be constructed outside of a building envelope unless with the written consent of the Responsible Authority.
 - ii. The creation of restrictions on lots above 300sqm to control the construction of dwellings to locations defined by building envelopes to the satisfaction of the Responsible Authority. The building envelopes for single storey dwellings must provide for garage openings to occupy no more than 40% of the width of the lot frontage and require garages be no closer to the frontage of the lot than the dwelling or 5.5 metres whichever is the greater (or the garage opening must not exceed more than 40% of the lot width).
 - i. Buildings on lots 155 and 156 to have a sense of address by ensuring that porches and entries are visible to the street.
 - ii. No solid fencing be located along the western boundary to lot 192 to increase passive surveillance of future district park. Any fencing along this boundary must only be low (no higher than 1.2 metres) and be a minimum 70% transparent.
 - iii. The western façade of any building on lot 192 to contain habitable room windows for a minimum of 40% unless otherwise agreed to in writing by the Responsible Authority.
 - iv. The dwelling design must address both the primary and secondary frontages.
 - v. Dwellings on corner lots must be designed to have habitable room windows facing the longer frontage of the lot.
 - vi. Ensure the appropriate design of dwellings and fencing of sideages for larger and irregular shaped corner lots.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- vii. Details about the width of frontages and garages as a ratio to ensure that garages do not dominate the streetscape.
- viii. Minimise the occurrence of double garages on adjoining lots to abut each other.
- ix. No more than two (2) dwellings of the same housing façade design may be built in a street unless it is an integrated townhouse style development.
- x. Measures to produce an attractive streetscape including the siting and design of dwellings, garages, fencing and landscaping.
- xi. Side fencing must not be constructed forward of the front wall of the dwelling or 9 metres from the principal lot frontage, whichever is lesser, except where the side boundary forms the rear boundary of an adjacent lot.
- xii. Retaining walls visible to the public must be tapered to work with the natural topography. Land cut and fill must be kept to a minimum. Design, materials and colour selection for visible retaining walls must complement the building design and external colour scheme.
- xiii. Maximum height for combined retaining wall and fence.
- xiv. Fencing requirements including:
 - Minimise fencing along street boundaries or corner lots;
 - No more than 50% of side fencing to be solid or wall and the balance of the fence to be visually transparent.
- xv. Avoidance of long expanses of fencing onto public spaces and further detail of treatment of fencing for lots adjoining open spaces.
- xvi. Vehicle access restricted from the internal subdivision road only (not Rix Road).
- xvii. The frontage of the dwelling (including habitable room windows) must be orientated to Rix Road.
- xviii. Where a lot has a sideage to the rail corridor:
 - The length of the fence is to be minimised;
 - No more than 50% of the length of the lot is to be a solid fence or wall;
 - The balance of the fence along the sideage is to be visually transparent and a maximum of 1.5 metres high.

Statement of Compliance:

14. A Development Infrastructure Levy must be paid to the Collecting Agency being Cardinia Shire Council in accordance with the approved Officer Precinct Structure Plan Development Contributions Plan (September 2011). If there is no approved Public Infrastructure Plan or if the approved Public

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Infrastructure Plan does not specify a time when payments must be made, then the Development Infrastructure Levy must be paid to the Collecting Agency within the times specified in the Development Contributions Plan or if no time is specified then after certification of the relevant Plan of Subdivision but not more than 21 days before a statement of compliance is issued in respect of that plan under the *Subdivision Act 1988*.

15. Before the issue of a statement of compliance for the subdivision under the *Subdivision Act 1988*, a cash payment equivalent to the value of the percentage of Net Developable Area of the land in lieu of the provision of the land for Public Open Space in accordance with the Schedule to Clause 52.01 of the Cardinia Planning Scheme and the Precinct Structure Plan applying to the land must be paid to the Responsible Authority.
16. Before a statement of compliance is issued for the subdivision, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The detailed landscape plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and one (1) copy must be provided in an approved electronic format. The plan must be consistent with the endorsed landscape master plan and must show and include to the satisfaction of the Responsible Authority:
 - a) New plantings, including their layout to be provided in any road reserves and municipal reserves.
 - b) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule must be consistent with adjoining sites where roads are continued through and Park Central.
 - c) Provide an approved vehicle exclusion treatment along the extent of the adjoining district park reserve from the southern boundary of the site to the northern boundary of the reserve.
 - d) Provide an approved vehicle exclusion treatment to the 152sqm tree reserve located within the south west corner.
 - e) A detailed plan showing trees to be removed and trees to be retained. The plan must show the tree protection zones around the trees to be retained.
 - f) The proposed layout, materials and finishes of paths, areas of pavement, playgrounds, play items, structures and street furniture.
 - g) The proposed road reservation widths and the treatment of interfaces with surrounding road reserves, including areas within the road reserves set aside for the retention of existing vegetation.
 - h) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.

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- i) Additional supporting information, such as certified structural designs or building forms of fencing, feature walls and the like.
 - j) The removal of existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds.
 - k) Estate feature entrance treatments.
 - l) The layout of street tree and reserve plantings using semi-mature trees, with minimum container size of 45 litres.
17. Before the issue of a statement of compliance for the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
- a) 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
 - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
18. Before the issue of a Statement of Compliance for the subdivision under the *Subdivision Act 1988*, the permit holder must, to the satisfaction of the Responsible Authority:
- a) Provide an approved vehicle exclusion treatment along the extent of the adjoining district park reserve from the southern boundary of the site to the northern boundary of the reserve.
 - b) Provide an approved vehicle exclusion treatment to the 152sqm tree reserve located within the south west corner.
 - c) The intersection of Rix Road/Internal access Road (eastern most 16m wide north-south road) must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority.
 - d) Provide appropriate driveway access and drainage connection points to all lots.
 - e) All road and drainage infrastructure must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority. The works must comply with the standards nominated in the Cardinia Shire Council "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the "Water Sensitive Urban Design (WSUD) Guidelines".
 - f) Design and provide street lighting and pedestrian/cycle paths in accordance with Australian Standard 1158.1.

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- g) Any reserve or land set aside for public open space or any tree reserve or the like must be re-graded, top dressed and sown to grass, landscaped and otherwise embellished in accordance with the endorsed landscape plan.
- h) Design and construct all internal road and drainage works necessary for the proper function of that stage.
- i) Design and construct any required outfall drainage to the satisfaction of Melbourne Water and Cardinia Shire Council.
- j) Submit detailed landscape plans to be approved by the Responsible Authority. The plans must be in accordance with the approved Landscape Masterplan.
- k) Complete streetscape and landscaping works or by agreement with the Responsible Authority submit incomplete streetscape and/or landscaping works bonds at the completion of the civil works. Payment can be in the form of a cash bond or bank guarantee to the agreed value, which are released upon satisfactory completion of works.

(Please contact Council's Open Space Department in relation to the costs of the cash bond or bank guarantee as the costs may vary on when the payment is made)

- l) Provide bonding to cover all streetscape and landscaping works for a maintenance period. Payment can be in the form of a cash bond or bank guarantee to the agreed value, which are released upon satisfactory completion of works. A twenty four (24) month maintenance period will apply to all landscaping works, following which time and upon satisfactory completion and satisfactory maintenance the bond will be released.

(Please contact Council's Open Space Department in relation to the costs of the cash bond or bank guarantee)

- m) The landscaping works shown on the approved landscape masterplan for each stage of the subdivision must be carried out and completed.

19. Before the statement of compliance is issued under the *Subdivision Act 1988*, outfall drainage for the subdivision must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority and to the satisfaction of the Responsible Authority.

20. Before the issue of a statement of compliance for the subdivision under the *Subdivision Act 1988*, the embellishment works to the public open space/reserves are to be completed to the satisfaction of the Responsible Authority.

21. Before a Statement of compliance is issued under the *Subdivision Act 1988*, the landowner must enter into a legally binding agreement (or an alternative agreement approved by DELWP) for the payment to implement the *Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011)* in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Environment, Land, Water & Planning (formally the DSE)). The landowner must pay the reasonable costs of the

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

preparation, execution and registration of the agreement.

22. Before the issue of a statement of compliance for the subdivision under the *Subdivision Act 1988*, the owner of the land must provide to Council written confirmation by a suitably qualified professional in the field to the Responsible Authority:

- a) That the requirements of Clause 56.09-3 Fire Hydrants Objectives Standard C29 of the Cardinia Planning Scheme have been provided on the land.

To the satisfaction of the Responsible Authority.

Engineering:

23. At least 14 days before any works commence on the site, a site specific Construction Environmental Management Plan (CEMP) prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP. The CEMP must address all environmental risks including:

- a) Temporary stormwater management including sedimentation control.
- b) Pollution and contamination controls including noise and dust.
- c) Location of stockpiles and stockpile management.
- d) Location of site office and facilities.
- e) Equipment, materials and goods management.
- f) Tree protection zones, trees to be retained and trees to be removed.

24. Speed control devices must be designed and constructed in any street exceeding 180 metres in length in a straight line, to the satisfaction of the approval and Responsible Authority.

25. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties to the satisfaction of the Responsible Authority.

26. All roads used for the purpose of haulage of imported or exported materials for construction must be:

- a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use.
- b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, to the satisfaction of the Responsible Authority or as requested by the Responsible Authority if the road deteriorates during the haulage period:- and
- c) Reinstated to the satisfaction of the Responsible Authority.

Date Issued: 1 March 2016

Signature for the Responsible Authority:



PLANNING PERMIT

Form 4

Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

PLANNING PERMIT NUMBER: T150610

ADDRESS OF THE LAND: Lot 1 on Plan of Subdivision 635137F and Lot 2 on Plan of Subdivision 635137F, 175 Rix Road, Officer VIC 3809 and 65 Princes Freeway Officer VIC 3809

THIS PERMIT ALLOWS: Multi-lot residential subdivision, subdivision adjacent to a public acquisition overlay, the removal of easements and associated works, generally in accordance with the approved plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

27. No fill or excavated material for or from this development may be carted/hailed into or from the site without first obtaining the further written consent from Council's Engineering Department at least seven (7) days prior to the cartage/haulage works commencing to the satisfaction of the Responsible Authority.
28. All filling of the land over 300mm in depth on the site must be carried out, completed and recorded to the satisfaction of the Responsible Authority and in accordance with:
 - a) The approved Construction Management Plan; and
 - b) Australian Standard AS 3798 2007 (Guidelines on earthworks for commercial and residential developments).
29. Earthworks must be undertaken in a manner that minimises soil erosion to the satisfaction of the Responsible Authority. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
30. Before a certificate of practical completion is issued, "as constructed" digital road and drainage information in AutoCAD format with all Xrefs binded into the drawings and showing any amendments during construction, must be submitted for all civil works where Council is the Responsibility Authority.
31. Before a certificate of practical completion is issued, CCTV results for the full length of all stormwater drainage pipes where Council is the Responsibility Authority and to the satisfaction of the Responsible Authority, must be submitted for assessment.
32. Before the responsibility for the future care and maintenance of the works is transferred to Council, the developer must provide to the Responsible Authority:
 - a) Survey enhanced "as constructed" GIS data for the drainage, road and footpath information components of the subdivision, in accordance with the current version of D-SPEC and R-SPEC. Council's preferred format for the submission of the graphical data is in "MapInfo Native Format". A secondary format is "MapInfo MID/MIF". Grid Co-ordinates must be MGA zone 55 (GDA 94). Please refer to the A-SPEC website for further information: www.dspect.com.au.

Sketches of the details of the permanent survey marks.
33. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
34. Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
35. Reflective street number markers must be provided on the kerb in front of each lot to the satisfaction of the Responsible Authority.

Date Issued: 1 March 2016

Signature for the Responsible Authority:



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Planning Scheme: Cardinia Planning Scheme
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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

General:

36. The subdivision and development works must be carried out in a manner consistent with the recommendations and requirements of the report submitted Hydrogeological Assessment prepared by John Leonard Consulting Services Ref: GW-15/10 (dated September 2015), must be implemented and completed to the satisfaction of the Responsible Authority
37. The permit holder must implement all recommendations contained in the submitted salinity management plan prepared by John Leonard Consulting Services Ref: GW-15/10 (dated September 2015) to the satisfaction Responsible Authority including:
- a) A soil management protocol be developed to govern soil movement including excavation, contouring and importation of fill to the site;
 - b) If land at the site of septic tank system for the existing house in the northwest corner of the land is likely to be exposed, the soil around the tank after the tank is removed and in any effluent soak area must be validated;
 - c) Any stained or odorous soils are identified during site development works must be assessed by an Environmental Consultant;
 - d) Any material suspected of containing asbestos must be assessed by a suitably qualified practitioner and any asbestos containing material must be handled and disposed of by a suitably qualified and licensed asbestos contractor;
 - e) Any soil brought to the site as fill must be confirmed as meeting the EPA requirements for fill material; and
 - f) Any soils taken off site must meet the EPA requirements for the offsite disposal of soils.
38. Land required for road widening must be transferred to or vested in the relevant roads authority at no cost to the relevant road authority unless the land is funded by the *Officer Development Contributions Plan (September 2011)*.
39. The owner of the land must enter into an agreement with:
- a) 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
 - b) 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.

Date Issued: 1 March 2016

Signature for the Responsible Authority:



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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

40. Before the commencement of works on the site, a Land Management Plan prepared and submitted to Council for approval to the satisfaction of the Responsible Authority, providing for the interim management of land (Neighbourhood Convenience Centre site/Lot A) until the ultimate development must be submitted to and approved by the Responsible Authority. Once approved, the Land Management Plan will then form part of the permit. All works must be in accordance with the approved Land Management Plan. The plan must include:
- Details about the placement of fill and prevention of dumping of materials.
 - Dust control measures.
 - Weed and pest control measures.
 - Mowing, slashing and fire risk management.
 - Details about grazing and other agricultural activity (if any).
 - Access management (i.e. limiting access to the site from existing public roads until their construction to an urban standard) and construction access.
41. Before the commencement of works within 50 metres of native vegetation identified as to be protected in the NVPP applying to the land, a highly visible vegetation protection fence must be erected around the protection area of each scattered tree and more than 2 metres from areas of all other native vegetation which have been identified as to be protected unless otherwise agreed to in writing by the Department of Sustainability & Environment. Within the fence, no placement of filling, storage of materials or machinery is permitted.
42. Before the commencement of works for street lighting and pedestrian/cycle paths for the subdivision, plans and details must be submitted to the satisfaction of the Responsible Authority. The plans and details must be in accordance with Australian Standard 1158.1 to the satisfaction of the Responsible Authority. Streetlights must be consistent with those approved with the adjoining Park Central Estate to the east of the site.
43. Before the commencement of landscape works, detailed landscape plans must be submitted to and approved by the Responsible Authority. The plans must be in accordance with the approved Landscape Masterplan.
44. Any construction stockpiles, fill and machinery must be placed away from areas supporting native vegetation and drainage lines to the satisfaction of the Responsible Authority.
45. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
46. Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.

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Signature for the Responsible Authority:



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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

47. All of the following works must be carried out in accordance with all the requirements set out in the incorporated Native Vegetation Precinct Plan (NVPP) applying to the land to the satisfaction of the Responsible Authority:
- Works carried out in respect of the approved subdivision;
 - Construction of buildings and associated works; and
 - Removal, lopping or destruction of native vegetation on the land.
48. Only native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.
49. Before the removal, destruction or lopping of any native vegetation, native vegetation to be removed in accordance with this NVPP must be clearly marked on site to the satisfaction of the Responsible Authority whilst works are being undertaken within the vicinity.
50. Any property (identified by the Property Number Map 1 of the Officer NVPP) the owner of the land must provide offsets consistent with the incorporated NVPP by either:
- Providing an allocated credit extract issued by the Department of Sustainability and Environment; or
 - Preparing and submitting an Offset Plan to the satisfaction of the Department of Sustainability and Environment and have the Offset Plan approved by Responsible Authority.
51. Where an Offset Plan is approved:
- Before the removal, destruction or lopping of any native vegetation, the owner of the land from which the native vegetation is being removed must provide on-title security for the Offset Site to the satisfaction of Department of Sustainability and Environment that provides for the implementation of the Offset Plan and pay the reasonable costs of the preparation, execution and registration of any on-title agreement; and
- Offsets must be initiated within 12 months of approval of the Offset Plan or before the removal of Very High Conservation Significance vegetation, whichever is earlier, and be implemented according to the schedule of works in the Officer Plan to the satisfaction of the Responsible Authority.
52. Before the commencement of any buildings and works a Construction Environmental Management Plan (CEMP) must be prepared to the satisfaction of the Responsible Authority and submitted to and approved by the Responsible Authority. The CEMP must specifically address significant flora and fauna where the buildings or works within:
- 50 metres of any native vegetation to be retained in the *Officer Precinct Native Vegetation Precinct Plan (September 2011)*;

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- b) 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (15 September 2011).

The CEMP must address all requirements specified in the *Officer Precinct Native Vegetation Precinct Plan (September 2011)* and the relevant Conservation Management Plan.

53. The actions which identify the responsible agent as the “landowner” or “developer” in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.
54. A salvage and translocation plan must be prepared and implemented to the satisfaction of the Department of Environment, Water, Land & Planning and the approval of the Responsible Authority.
55. The landscaping works shown on the approved landscape plan/s for the development must be carried out and completed to the satisfaction of the Responsible Authority.
56. Before the installation of trees to be planted within the streetscape an inspection of the plant stock must be undertaken by Council’s Open Space Department. Any trees deemed unsuitable must not be planted within the streetscape.
57. The permit holder must notify Council’s Open Space Department a minimum of seven (7) days prior to commencing street tree planting and landscaping so that surveillance of the works can be undertaken.
58. All power lines are to be provided underground to the satisfaction of the Responsible Authority.
59. All service substations, kiosk sites and the like must not be located on any land identified as public open space or land to be used for any municipal purpose unless otherwise agreed by the Responsible Authority.
60. All optical fibre conduit and associated infrastructure must be protected from damage to satisfaction of the Responsible Authority.
61. The permit holder must within four (4) weeks of the registration of the plans at the Land Titles Office send to the Responsible Authority:
- a) A Certificate of Title for all land vested in the Responsible Authority on the Plan of Subdivision.
 - b) A clear A-3 size photocopy of the Title Office approved Plan of Subdivision.

Melbourne Water:

62. Pollution and / or sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
63. All new lots are to be filled to a minimum of 300mm above the 1 in 100 year flood level associated with an existing or proposed Melbourne Water pipeline and major overland flowpath.

Date Issued: 1 March 2016

Signature for the Responsible Authority:



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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

64. All new lots must achieve appropriate freeboard in relation to any local overland flow paths to Council's satisfaction.
65. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
66. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria either as outlined in Melbourne Water's Land Development Manual, or where appropriate to Council's requirements and standards.
67. Prior to Certification of the subdivision:
- The Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the *Subdivision Act 1988*.
 - Easements and/or reserves must be shown on the Plan of Subdivision and must be created over any proposed Melbourne Water assets to the satisfaction of Melbourne Water.
 - The drainage system shall be designed ensuring that increased flows from the site are restricted to existing drainage structures capacity unless increased flows are approved by Council.
 - Copy of Council's acceptance/approval for any assets under Council's maintenance shall be provided to Melbourne Water for our records.
 - The Developer must ensure adequate outfall from the site. A copy of written approval from the relevant affected parties to the satisfaction of Council for the arrangement of appropriate drainage outfall for the subdivision must be provided to Melbourne Water.
 - A drainage layout plan for the development must be submitted to Melbourne Water demonstrating the proposed alignment for the 1 in 5 year ARI flows and drainage infrastructure and the overland flow paths directions for the 1 in 100 year ARI flood event.
68. Prior to commencement of works:
- A separate application direct to Melbourne Water's Asset Services team must be made for formal approval: for any stormwater connection to a Melbourne Water asset; before building, planting or installing utility works over, or near, any of Melbourne Water's assets. Asset Services team can be contacted on telephone 9679 6614 or email via assetservices@melbournewater.com.au
 - At least 21 days prior to commencement of works, a Site Management Plan detailing pollution and sediment control measures, must be submitted to Melbourne Water.
69. Prior to the issue of a Statement of Compliance for the subdivision
- The Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and

Date Issued: 1 March 2016

Signature for the Responsible Authority:



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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

other matters in accordance with the statutory powers of Melbourne Water Corporation.

- b) Engineering plans of the development (in electronic format) are to be forwarded to Melbourne Water for comment/approval. A Certified Survey Plan may be required following our comments on the engineering drawings.
- c) The submission of as constructed flood mapping information may also be required of 1 in 100 year ARI flood levels.

AusNet:

The applicant must –

- 70. Enter into an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
- 71. Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
- 72. Enter into an agreement with AusNet Electricity Services Pty Ltd for the 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.
- 73. Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the *Electricity Industry Act 2000*, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- 74. Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.
- 75. 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.
- 76. Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for electric substations.
- 77. Provide survey plans for 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.
- 78. 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.

Date Issued: 1 March 2016

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

79. 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*.

80. 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.

South East Water:

81. The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.

82. The owner of the subject land must enter into an agreement with South East Water for the provision of recycled water supply and fulfil all requirements to its satisfaction

83. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.

84. All lots on the Plan of Subdivision are to be provided with separate connections to our potable water supply, recycled water supply and sewerage systems.

85. Before the Certification, the Plan of Subdivision must be referred to South East Water in accordance with Section 8 of the *Subdivision Act 1988*.

Public Transport Victoria:

86. Any section of Brunt and Rix Roads to be constructed as part of this subdivision must be constructed to accommodate public transport access for buses in accordance with the cross sections identified in the Officer Precinct Structure Plan to the satisfaction of Public Transport Victoria.

87. Unless otherwise agreed in writing with Public Transport Victoria, prior to the issue of a Statement of Compliance for any stage which contains indicative bus stops identified in the Officer Precinct Structure Plan, the permit holder must construct those stops to the satisfaction of Public Transport Victoria. Final bus stop location / design must be confirmed with Public Transport Victoria and consist of a concrete hard stand area with tactile ground surface indicators at the full cost of the permit holder.

88. Prior to the issue of a Statement of Compliance for any stage abutting the railway reserve, or other time agreed in writing with Public Transport Victoria the permit holder must install a visually transparent 1.8 metre high black coated chain mesh fence along the boundary abutting the rail reserve to the satisfaction Public Transport Victoria and VicTrack at the full cost of the permit holder.

Date Issued: 1 March 2016

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Vic Roads:

89. Prior to the commencement of any works, the subdivision plan must be amended to show the provision of a solid fence along the entire southern boundary of the site to the satisfaction of VicRoads and the Responsible Authority.
90. Prior to statement of compliance being issued, a continuous, non-moveable fence must be constructed on the boundary between the subject site and the freeway service centre to prevent access to the freeway service centre from any lot or road created.

Expiry of permit:

This permit will expire if:

- a) The plan of subdivision for the first stage is not certified within **two (2) years** of the date of this permit; or
- b) The plan of subdivision for the last stage of the subdivision is not certified within **ten (10) years** of the date of this permit; or
- c) The registration of the last stage of the subdivision is not completed within **five (5) years** of the certification of that Plan of Subdivision.

The Responsible Authority may extend the periods referred to, if a request is made in writing in accordance with Section 69 of the *Planning & Environment Act 1987*.

(Note: The starting of the subdivision is regarded by Section 68(3A) of the *Planning and Environment Act 1987* as the certification of a plan, and completion is regarded as the registration of the plan.)

Permit Note's:

General:

- The Conservation Management Plan Charge, which is payable to the Department of Environment, Land, Water and Planning (DELWP).
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.

Ausnet:

- It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).

Date Issued: 1 March 2016

Signature for the Responsible Authority:



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- Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.
- Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

South East Water:

- The owner of the subject land is required to obtain a 'Notice of Agreement' from South East Water. All requirements must be fulfilled to its satisfaction prior to South East Water consenting to the issuing of a Statement of Compliance.
- The following South East Water agreement options are available:
 - a) Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development.
 - b) Application For Notice of Agreement Subdivision-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building)
 - c) Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e building prior to subdivision)

Melbourne Water:

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference **263653**.

Date Issued: 1 March 2016

Signature for the Responsible Authority:



IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the *Planning and Environment Act 1987*.)

WHEN DOES A PERMIT BEGIN?

A PERMIT OPERATES:

- a) From the date specified in the permit, or
 - b) If no date is specified; from:
 - i. The date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - ii. The date on which it was issued, in any other case.
-

WHEN DOES A PERMIT EXPIRE?

A PERMIT FOR THE DEVELOPMENT OF LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) 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 (2) years of the issue of the permit, unless the permit contains a different provision, or
- c) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in case of a subdivision or consolidation within five (5) years of the certification of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.

A PERMIT FOR THE USE OF LAND EXPIRES IF:

- a) The use does not start within the time specified in the permit, or if no time is specified, within two (2) years of the issue of within two years after the issue of the permit; or
- b) The use is discontinued for a period of two (2) years.

A PERMIT FOR THE DEVELOPMENT AND USE OF THE LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) 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.
- c) 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
- d) The use is discontinued for a period of two (2) years.

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:

- a) The use or development of any stage is to be taken to have started when the
- b) Plan is certified; and
- c) The permit expires if the plan is not certified within two years of the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.

An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.

An application for review is lodged with the Victorian Civil and Administrative Tribunal.

An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.

An application for review must state the grounds upon which it is based.

An application for review must also be served on the Responsible Authority.

Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal

Victoria Civil and Administrative Tribunal, Planning List
55 King Street, MELBOURNE VIC 3000
Ph (03) 9628 9777 Fax: (03) 9628 9789