

PLANNING PERMIT

Permit No.:	PA2403351
Planning scheme:	East Gippsland Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	3-5 Caldwell Court, Johnsonville (Lot 1 and Lot A, PS 903390A)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
Clause 32.03-1	Use the land for an education centre
Clause 32.03-4	Construct a building or construct or carry out works associated with an education centre
Clause 44.02-2	Construct a building or construct or carry out works
Clause 52.05-13	Display a business identification sign
Clause 52.06-3	Reduction of statutory car parking requirements
Clause 52.34-2	Reduction of bicycle facilities

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority.

Endorsed development plans

2. Before any stage of the development starts, detailed development plans for that stage must be submitted to and approved by the Responsible Authority. Except with the written consent of the

Date of issue: 30 May 2025 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

Responsible Authority, the plans must generally be in accordance with the endorsed Master Plan to the satisfaction of the Responsible Authority.

Landscape plan

3. Concurrent with the endorsement of plans for each stage of development, unless otherwise agreed with the Responsible Authority, a detailed landscape plan must be submitted to and approved by the Responsible Authority. The landscape plan for each stage of development must generally show:
 - a) Details of all surface finishes including pathways, driveways and/or decked areas.
 - b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - c) Urban design elements including, but not limited to, paving, lighting, seating and art works, if applicable.
 - d) How the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.
 - e) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
4. Before each stage of the development is occupied, the landscaping works as shown on the endorsed landscape plans must be carried out and completed to the satisfaction of the Responsible Authority.
5. Landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Staging Plan and Master Plan

6. Concurrent with the submission of plans in accordance with Condition 2, a Staging Plan and Master Plan must be submitted to and approved by the Responsible Authority. The Staging Plan must clearly detail the staging of the development and the timeframes for the development of each respective stage. The development must be undertaken generally in accordance with the endorsed staging plan and master plan and must not be amended unless otherwise agreed in writing by the Responsible Authority.

Layout not altered

7. The use and development as shown on the endorsed plans must not be altered (unless the East Gippsland Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Bicycle parking

Date of issue: 30 May 2025 Signature for the responsible authority:



8. Bicycle parking and end of trip facilities must be provided and shown on the plans relative to demand at each stage of the development to the satisfaction of the Responsible Authority. Bicycle facilities must meet the requirements of Clause 52.34 (noting the permitted reduction in the number of spaces required) prior to the occupation of each stage of the development.

Parking and Access

9. Before occupation of for each stage of the development, the areas 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.
- c) Sealed with a concrete or asphalt surface.
- 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.

10. Car spaces, access lanes and driveways must be kept available for these purposes at all times unless otherwise agreed in writing by the Responsible Authority.

Drainage

11. Before any works associated with the development starts, detailed drainage management plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority, in consultation with East Gippsland Shire Council. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in line with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:

- a) Drainage infrastructure, including pipes/drains and pits (where required).
- b) Any modification to the terrain, such as filling and excavation.
- c) The plan is to include on site detention structures to ensure that the post development discharge rate from the site does not exceed the predevelopment discharge rate.
- d) Methods of on-site detention (e.g. Rainwater tanks) and WSUD treatments (e.g. raingarden/s) to limit the rate of discharge and improve the quality of stormwater runoff from the development.
- e) As a guide, the allowable discharge rate for these developments shall generally be in accordance with Table 13 of the IDM.
- f) A 10% AEP shall be adopted for the drainage design and the overland flow paths for a 1% AEP event shall be nominated on the plan.



g) Easements and legal points of discharge.

12. All earthworks associated with the construction of the drainage must be stabilised to protect against erosion and failure and must not encroach onto other properties.
13. All drainage works and requirements must be undertaken and completed to the satisfaction of East Gippsland Shire Council.

Geotechnical Risk Assessment

14. The recommendations of the Geotechnical Risk Assessment Waiver Report provided by Chris O'Brien and Company Pty Ltd, Reference No. B23366, Project number 110923, dated 11/10/2023 are to be followed, as specified.

Access

15. Before the use commences, two (2) concrete crossovers must be constructed at right angles to the road, to suit the proposed driveways, in accordance with an approved design to the satisfaction of the Responsible Authority.

Council Infrastructure

16. Before the use commences, any portion of East Gippsland Shire Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the East Gippsland Shire Council.

Punt Road and Caldwell Court intersection

17. Prior to the commencement of use of Stage 2 (primary school), the intersection of Punt Road and Caldwell Court is to be modified as shown on page 51 of the Transport Impact Assessment report, by Ratio, dated 29 January 2025, Reference, 20531T, Drawing number 20531-CLP-002. Detailed intersection design drawings must be submitted for the approval of East Gippsland Shire Council and the work undertaken to the satisfaction of the East Gippsland Shire Council.

Student capacity

18. The school must not have a maximum student capacity exceeding 500 students at any one time, unless otherwise agreed in writing by the Responsible Authority.

Amenity

19. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.

Signage

Date of issue: 30 May 2025 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

20. The location of the signs (including the size, nature, panels, position and construction) shown on the endorsed plan must not be altered without the prior written consent of the Responsible Authority.
21. The signs must not be illuminated except with the written consent of the Responsible Authority.
22. Signage approved under this permit expires 15 years from the date of this permit.

Commencement

23. This permit will operate from the issued date of this permit.

Expiry

24. This permit will expire if one of the following circumstances applies:
- a) The development is not started within 3 years of the issued date of this permit.
 - b) The development as it relates to each stage is not completed within 5 years of the commencement of that stage.
 - c) The use does not start within 2 years of completion of stage 1.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

USEFUL INFORMATION:

Note: the following information does not form part of this permit

- Before undertaking works within a Council Road reserve, a non-utility – minor works consent of works within road reserve application must be lodged with the *Roads and Traffic* unit of Council and be approved. Refer to the Infrastructure Design Manual (IDM) for a concrete crossover design.
- The permitted use or development may need to comply with, or obtain the following further approvals:
 - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
 - A building permit under the *Building Act 1993*.

Date of issue: 30 May 2025 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit (Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- 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?

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

WHAT ABOUT REVIEWS?

- 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.
- A copy of 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.

Date of issue: 30 May 2025 Signature for the responsible authority:

