

PLANNING PERMIT

Permit No.:	PA2504026
Planning scheme:	Bass Coast Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	9 Hagelthorn Street, Wonthaggi (Crown Allotment 1 on Title Plan TP287301T)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.08-7	Construct two or more dwellings on a lot

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.

Commencement

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

Approved and endorsed plans – changed required

3. Before the development starts, excluding demolition, bulk excavation and site preparation works, amended plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, and be generally in accordance with the plans prepared by Caleb Smith Architect, Revision C, dated 17 September 2025, but modified to show:
 - a) The tree protection zone (TPZ) and structural root zone (SRZ) of trees that are located on 7 Hagelthorn Street to be shown and numbered in accordance with the arboricultural report, dated 3 September 2025.
 - b) The east-facing kitchen windows of Dwellings 1.04, 1.05, 2.04 and 2.05 altered to comply with Standard B404 of Clause 55.04-4 of the Bass Coast Planning Scheme.
 - c) The initiatives outlined within the approved Sustainability Management Plan annotated on all plans and elevations, wherever possible and practical.

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- d) Any changes required by the approved Tree Protection Management Plan to be annotated on all plans, where possible and practical.

Layout not altered

- 4. The development as shown on the endorsed plans must not be altered (unless the Bass Coast Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Tree Protection Management Plan

- 5. Concurrent with the endorsement of plans, a Tree Protection Management Plan (TPMP) must be approved and endorsed by the responsible authority, in consultation with Bass Coast Shire Council. The TPMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Arboricultural Report, prepared by Tree Logic, dated 3 September 2025, and must:
 - a) Be prepared by a suitably qualified person
 - b) Include the following:
 - i. Measures to ensure the protection of all trees identified for retention, determined in accordance with Australian Standard AS4970-2009 - Protection of Trees on Development Sites
 - ii. The location of tree protection zones (TPZ) and tree protection fencing for trees identified for retention, generally in accordance with the recommendations of the Arboricultural report, dated 3 September 2025, on a plan that is drawn to scale with dimensions. The plan must address the retention of Trees 14, 15, 16, 17 and 18A and street Trees 7, 8, 19 and 20.

Tree Protection during construction

- 6. Before the development starts, including demolition, bulk excavation and site preparation works, a tree protection fence must be erected around the trees identified for retention and protection, at a minimum radius from the base of the trunks to define a TPZ in accordance with the endorsed TPMP.
- 7. The tree protection fencing and TPZ must be established and maintained in accordance with the following requirements to the satisfaction of Bass Coast Shire Council:
 - a) the tree protection fence must be constructed of a material to form a physical and visual barrier that is continuous and will prevent access.
 - b) the tree protection fence must remain in place until the development is completed.
 - c) the TPZ must be covered by a 100mm deep layer of mulch and watered regularly.

Regulation of activities in Tree Protection Zone

- 8. During the course of construction, the TPZ must not be used for:
 - a) vehicular or pedestrian access
 - a) trenching or soil excavation
 - b) storage or dumping of materials, tools, equipment or waste

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

Landscape plan

9. Concurrent with the endorsement of plans, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions and be generally in accordance with the landscape plans, prepared by Emergent Studios, Revision B, dated 17 October 2025.

Landscaping completion

10. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of Bass Coast Shire Council.

Landscaping maintenance

11. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of Bass Coast Shire Council.

Environmentally Sustainable Design

12. Concurrent with the endorsement of plans, a sustainability management plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with SMP prepared by wrap consulting, Revision 04, dated 23 September 2025, but modified to show:
 - a) The provision for future electric vehicle charging.

Implementation of ESD Statement Initiatives

13. Within six months of the occupation of the development, a report from the author of the endorsed report must be submitted to and approved by the responsible authority. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed report, to the satisfaction of the responsible authority.

Waste Management Plan

14. Concurrent with endorsement of plans, a Waste Management Plan (WMP) must be approved and endorsed by the responsible authority. The WMP must be generally in accordance with the Waste Management Plan prepared by Traffix Group, Revision C, dated 8 August 2025.

Waste Management

15. All garbage and other waste material must be stored in an area within the land and set aside for such purpose to the satisfaction of Bass Coast Shire Council.
16. No garbage bin or surplus material generated by the site may be deposited or stored outside the site and bins must be returned to the garbage store areas as soon as practicable after garage collection to the satisfaction of Bass Coast Shire Council.

Stormwater Management Plan

17. Before the development starts, excluding demolition, bulk excavation and site preparation works, a stormwater management plan must be approved and endorsed by the responsible authority in consultation with Bass Coast Shire Council. The stormwater management plan must be prepared to the satisfaction of the responsible authority, and must:

- a) Include the following details of the:
 - i. Water sensitive urban design (WSUD) catchment plan prepared by Edge Consulting Engineers, dated 10 September 2025, Revision P04; and
 - ii. Stormwater requirements outlined within the approved Sustainability Management Plan.
- b) Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
- c) Set out how the stormwater management system will be managed on an ongoing basis.
- d) Demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations, as appropriate.

Traffic and parking management

18. Before the development is occupied, the areas set aside for the parking of vehicles and access lanes 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.
 - d) Drained.
 - e) Line marked to indicate each car parking space, all access lanes and pedestrian paths.
 - f) Clearly marked to show the direction of traffic along access lanes and driveways.
19. Car spaces, access lanes and driveways must be kept available for these purposes at all times to the satisfaction of Bass Coast Shire Council.

Run-off

20. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into Bass Coast Shire Council drains or watercourses.

Drainage

21. The land must be drained to the satisfaction of Bass Coast Shire Council.

Vehicle crossing removal

22. Before the development is occupied, all existing disused or redundant vehicle crossings must be removed and the nature strip and kerb and channel reinstated to the satisfaction of Bass Coast Shire Council, at the cost of the owner.

Clause 53.23 (Category 2 – Homes funded by State of Victoria or the Commonwealth)

23. All (100%) of the dwellings in the development must be provided for affordable housing in accordance with the State Contribution Agreement (SCA) with Homes Victoria.
24. Before the development is occupied, written confirmation of the following must be provided to the satisfaction of the responsible authority:

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- a) If applicable, any agreement between Homes Victoria and a community housing provider remains valid and binding
- b) All dwellings will be delivered and managed as affordable housing *in accordance with Section 3AA of the Planning and Environment Act 1987*.
- c) The affordable housing provider will retain ownership or long-term management of the dwellings for affordable housing purposes.

Disability Glare to Transport

25. External glazing and cladding materials and finishes must avoid disability glare to public transport operators, road users and aircraft, to the satisfaction of the responsible authority.

Residential Reticulated Gas Service Connection

26. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the Bass Coast Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Expiry

27. This permit will expire if one of the following circumstances applies:
- a) The development is not started within three years of the issued date of this permit.
 - b) The development is not completed within five years of the issued date of this permit.

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.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

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.

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