

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2504015
Planning scheme:	Baw Baw Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	2-6 Lampard Road, Drouin (Land in PC172922R, Lot 2 TP7608 and Lot 3 TP7608)

THE PERMIT ALLOWS:

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

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 Lian Architects, dated 17 October 2025 but amended to show the following details:
 - a) The balcony balustrade and roof materials clearly identified on the plans and the materials and finishes schedule.
 - b) Dimensioned maximum building heights above natural ground level on all elevations.
 - c) The pedestrian path to Main South Road constructed using permeable paving within the notional root zones of the street trees.

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- d) The shared circulation areas in the apartment buildings to contain at least one operable window.
- e) Minimum 0.07 cubic metres internal waste storage areas within each dwelling in accordance with Standard B5-5 (Waste and recycling)
- f) Lighting details to all outdoor common areas including accessways and paths within the site.
- g) The southern edge of the balconies associated with dwelling 109 and 209 altered to comply with Standard B4-3 (Overlooking).
- h) External shading devices shown to north-facing upper living windows of dwelling 105, 112, 205 and 212 with of the minimum horizontal depth dimensioned in accordance with Standard B5-4 (Solar protection to new north-facing windows).
- i) Details of the proposed noise attenuation measures to the bedrooms sharing walls with the lift core which demonstrate they have been designed to limit internal noise levels in accordance with Standard B5-6 of Clause 55.05-6.
- j) Structural root zone and tree protection zones of all retained trees in accordance with AS4970-2025.
- k) Any changes required by the Landscape Plans.
- l) Any changes required by the Tree Protection Management Plan.

Layout not altered

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

Landscape plan

- 5. 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, dated 17 October 2025 but modified to show:
 - a) Any changes to ensure consistency with the development plans.
 - b) The location of all existing vegetation with retained trees clearly indicated on all drawings.
 - c) Additional large shrub screen planting in the front setback of the townhouses to Lampard Road.
 - d) Additional lower-level planting in the east setback to Main-South Road.
 - e) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - f) 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.

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Landscaping completion

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

Landscaping maintenance

7. 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 Baw Baw Shire Council.

Tree Protection Management Plan

8. Before the development starts, a Tree Protection Management Plan (TPMP) must be approved and endorsed by the responsible authority, in consultation with Baw Baw Shire Council. The TPMP must be prepared to the satisfaction of the responsible authority by a suitably qualified person, be generally in accordance with the Arboricultural Impact Assessment Report and Tree Management Specifications by Treelogic, dated 15 October 2025, and must include the following:
- a) Measures to ensure the protection of all trees identified for retention, determined in accordance with Australian Standard AS 4970:2025 - Protection of Trees on Development Sites.
 - b) The location of tree protection zones (TPZ) and tree protection fencing for trees identified for retention.
 - c) Encroachments including site cut/fill to be listed in accordance with AS 4970:2025 - Protection of Trees on Development Sites.
 - d) Deviations to Notional Root Zone requirements to accommodate road reserve conditions.
 - e) Details (including contact details) of a project arborist, including actions required to be undertaken by the project arborist at the various stages of the development.
 - f) Templates for periodic site inspections of trees by the project arborist, at the various stages of the development.
 - g) Measures that must be incorporated into the design and construction of the development to ensure the protection of any trees identified for retention, determined in accordance with Australian Standard AS 4970:2025 - Protection of Trees on Development Sites; and
 - h) Specific tree protection requirements for Trees 2-7 located on the eastern boundary of the subject site, details or notations of the following:
 - i. All pruning of street trees must be completed in accordance with Australian Standard AS 4373:2007 – Pruning of Amenity Trees by an Arborist who is suitably qualified and experienced.
 - ii. Any pruning done must be to the minimum extent and must not have an effect on the ongoing appearance, amenity and condition of the specified trees.
 - iii. Requirements for permanent protection measures to ensure the Notional Root Zones are permanently protected.



- iv. Management of trees adjacent to residential lots and roads including placement of infrastructure such as paths, fences and road pavement.
 - v. Physical or landscaping requirements to ensure that Notional Root Zones are permanently protected and access to Notional Root Zones are restricted.
 - vi. Construction methodologies for working around large significant trees including the installation of scaffolding and any necessary infrastructure adjacent to Notional Root Zones.
- i) Requirements for construction of all infrastructure. The construction requirements should include (but not be limited to):
- i. Types and weights of machinery to be used within a Notional Root Zone.
 - ii. Placement of machinery within and adjacent to the Notional Root Zone when works are occurring.
 - iii. Requirements for supervision by a suitably qualified and experienced Arborist.
 - iv. Requirements for non-destructive digging.
 - v. Requirements for construction above grade.
 - vi. Product materiality including consideration of porous materials.
 - vii. Requirements for installation of services within road reserves.
 - viii. Depth requirements for boring services within the road reserves.

Tree Protection during construction

9. 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.
10. The tree protection fencing and TPZ must be established and maintained in accordance with the following requirements to the satisfaction of Baw Baw 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.

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

Regulation of activities in Tree Protection Zone

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

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

Environmentally Sustainable Design

12. Concurrent with the endorsement of plans, a Sustainability Design Assessment (SDA) must be approved and endorsed by the responsible authority. The SDA must be prepared to the



satisfaction of the responsible authority and must be generally in accordance with the SDA prepared by Wrap Engineering, dated 21 October 2025.

13. Within six months of the occupation of the development, a report from the author of the endorsed SDA 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 SDA, 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 prepared to the satisfaction of the responsible authority and must be generally in accordance with the Waste Management Plan prepared by Traffix, dated 17 October 2025.

Waste Management

15. Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the Baw Baw Shire Council.
16. All waste bins and residential waste must be stored within the specified bin storage areas (as shown on the approved and endorsed plans) on an ongoing basis.

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 Baw Baw Shire Council. The stormwater management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Water Sensitive Urban Design Report by Edge Consulting Engineers, dated 3 September 2025, and must:
 - a) Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
 - b) Set out how the stormwater management system will be managed on an ongoing basis.

Stormwater management system – implementation and management

18. The approved stormwater management system and included in the approved stormwater management plan must be constructed, managed and maintained to the satisfaction of the Baw Baw Shire Council.
19. The owner must maintain and not modify the on-site storm water detention and treatment system without the prior written consent of Baw Baw Shire Council, and must allow the system to be inspected by a duly appointed officer of the Council at mutually agreed times. The capacity of the on-site stormwater detention system and treatment system must not be reduced and must be maintained at no cost to Baw Baw Shire Council.



Development Contributions Plan Levy

20. Before the development starts and unless otherwise agreed in writing with Baw Baw Shire Council, the permit holder or landowner must:
- a) Pay the amount of the levy required under the Development Contribution Plan Overlay - Schedule 1 to Baw Baw Shire Council; or
 - b) Enter into an agreement with Baw Baw Shire Council to pay the amount of the levy within a time specified in the agreement.

Construction / Site Management Plan

21. Before the development starts, a Site Management Plan must be submitted to and approved by Baw Baw Shire Council. Works must only commence after the Site Management Plan has been approved by Baw Baw Shire Council.

Traffic and parking management

22. 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.
23. Car spaces, access lanes and driveways must be kept available for these purposes at all times to the satisfaction of Baw Baw Shire Council.

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

24. 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.
25. Before the development is occupied, written confirmation of the following must be provided to the satisfaction of the responsible authority:
- 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.

Run-off

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



Drainage

27. The land must be drained to the satisfaction of Baw Baw Shire Council.

New vehicular crossings

28. Before the development is occupied, any new vehicular crossing(s) must be constructed to the satisfaction of the Baw Baw Shire Council.

Vehicle crossing removal

29. 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 Baw Baw Shire Council, at the cost of the owner.

Control of light spill

30. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

Concealed service pipes and equipment

31. All pipes, fixtures, fittings vents, plant and equipment servicing any building on the land (excluding storm water down pipes, guttering and rainheads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Residential Reticulated Gas Service Connection

32. 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 Baw Baw Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Expiry

33. 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.

USEFUL INFORMATION:

(the following information does not form part of this permit)

- This permit does not allow for removal, destruction or lopping of vegetation under Clause 43.01-1 (Heritage Overlay). If removal, destruction or lopping of any vegetation subject to tree controls under the Heritage Overlay is proposed, further permission is required.

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- The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority, under this Act, Regulation or Local Law.

Baw Baw Shire Council

- Before to carrying out any works within the road reserve the Developer must obtain a “Works Within Road Reserve Permit” from Council.
- Council’s preference is that street tree pruning is completed by internal Baw Baw Shire Council tree crew, comprised of highly experienced and qualified arborists. This pruning is outside the scope of normal maintenance works, and would be billed accordingly.
- The Site Management Plan should be submitted on the official proforma which can be downloaded from Council’s website or requested from development@bawbawshire.vic.gov.au.
- The owner must pay for all the costs associated with the operation, maintenance and Baw Baw Shire Council inspection of the on-site storm water detention and treatment system.

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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.

Date issued: 29 January 2026 Signature for the responsible authority:

