

PLANNING PERMIT

Permit No.:	PA2403243
Planning scheme:	Moorabool Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	186 Bungaree-Wallace Road, Bungaree (Lot 1 on Title Plan 910718N)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
35.07-1	Use of the land for an Education Centre (Secondary School)
35.07-4	Building or works associated with a use in Section 2
42.01-2	Construct a building or construct or carry out works including removal of vegetation
52.05-14	Display of a sign in Section 2
52.34-2	Waiver of requirements of Clause 52.34-5 (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.

Commencement

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

Central Highlands Water

3. The owner must install a wastewater management system, incorporating secondary wastewater treatment, in accordance with the recommendations in sections 5 & 6 of land capability assessment by Ballarat Soil Testing (report No.SJ220824) dated 13 September 2024.

Date of issue: 24 December 2024 **Signature for the responsible authority:**



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The Land Capability Assessment may be varied if the responsible authority and Central Highlands Region Water Corporation consent in writing.

4. Any wastewater management system installed must be regularly serviced by an approved service agent in accordance with the relevant EPA Code of Practice, certificate of approval and Australian Standard.
5. The land application areas shall be kept free of vehicle movement, high foot traffic, paving, driveways, patios, fences, building extensions, sheds, children's playgrounds, and utility trenching.
6. Prior to the commencement of operations, the owner must enter into an agreement with Central Highlands Region Water Corporation (CHW) and the Moorabool Shire Council under Sections 173 of the Planning and Environment Act 1987. The owner must pay all costs associated with the preparation, negotiation, registration, and enforcement of the agreement. The agreement must provide the following:
 - a) The owner must have any wastewater treatment facility and effluent disposal system for the school buildings inspected annually by a qualified environmental health officer ("the EHO") and must provide annually to both the Moorabool Shire Council and to CHW a written report from the EHO on the condition of the wastewater treatment and effluent disposal system.
 - b) The owner must have any wastewater treatment facility and effluent disposal system for the school buildings inspected annually by a qualified environmental health officer ("the EHO") and must provide annually to both the Moorabool Shire Council and to CHW a written report from the EHO on the condition of the wastewater treatment and effluent disposal system.
 - c) The owner must have any wastewater treatment facility and effluent disposal system for the school buildings inspected annually by a qualified environmental health officer ("the EHO") and must provide annually to both the Moorabool Shire Council and to CHW a written report from the EHO on the condition of the wastewater treatment and effluent disposal system.
 - d) The owner will maintain all drainage lines at all times to divert surface water and subsurface water clear of the effluent disposal fields.
 - e) The Owner and the Moorabool Shire Council agree to do all things necessary to register a memorandum of this Agreement on the title of the land pursuant to Section 181 of the Planning and Environment Act 1987.
 - f) The Owner must meet all costs of inspections, reports and works referred to in Clauses (a), (b), (c) and (d) herein and all costs of the Moorabool Shire Council in relation to stamping and registration of this Agreement.
 - g) The Owner must not sell or enter into any contract to sell the land until this Agreement has been registered pursuant to Clause (e) herein.

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Signage

7. The location and details of the signs, and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.
8. The signs must not be animated or contain any flashing or intermittent light.
9. The signs must not be illuminated by external or internal light. The responsible authority may consent in writing to vary this requirement.
10. The signs, including the structure and content, must be constructed and maintained to the satisfaction of Moorabool Shire Council.
11. This permit as it relates to a signage will expire 15 years from the issued date of this permit. On expiry of the permit, the sign and structures built specifically to support and illuminate it must be removed. In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

Expiry

12. This permit will expire if one of the following circumstances applies:

- a) The development is not started within 2 years of the issued date of this permit.
- b) The development is not completed within 4 years of the issued date of this permit.
- c) The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition

USEFUL INFORMATION:

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



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IMPORTANT INFORMATION ABOUT THIS PERMIT

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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