

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2302502
Planning scheme:	Frankston Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	485 Golf Links Road, Langwarrin South (Lot 1 PS4444671)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
	Buildings and works for an existing education centre and removal of native vegetation
32.03-4	Buildings and works associated with a section 2 use (secondary school)
43.02	Construct a building or construct or carry out works
42.03-2	Construct a building or carry out works
42.03-2	Remove, destroy or lop native vegetation

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

3. Before the development starts, including demolition, bulk excavation and site preparation works, 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, be generally in accordance with the plans prepared by McIlldowie Partners and dated 20 October 2023, but amended to show the following details:

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- a) All trees to be identified using numbering system consistent with the Arborist Report prepared by Civica and dated 30 October 2023.
- b) The tree number, Tree Protection Zone (TPZ), Structural Root Zone (SRZ) and notations of protection methods during construction as described in the Arborist Report prepared by Civica for all retained trees.
- c) The Environmentally Sustainable Design measures as shown in the BESS and STORM Report prepared by BRT and dated September 2023 shown on all relevant development plans.
- d) Ensure approximate locations for planting details reflect that of the landscape plan.
- e) Any changes required from the amended landscape plan in the corresponding condition below.

Landscape Plans

- 4. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority consistent with Frankston City Council's Landscape Plan Preparation Guidelines (2020). The landscape plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the Landscape Concept Plan prepared by Sam Cox Landscape dated 20 October 2023 and must include the following:
 - a) layout of landscaping and planting within all open areas of the subject land
 - b) The tree number, Tree Protection Zone (TPZ), Structural Root Zone (SRZ) and notations of protection methods during construction as described in the Arborist Report prepared by Civica for all retained trees. A notation must be included stating that all recommendations as per the Arborist Report are to be carried out to the satisfaction of the Responsible Authority.
 - c) Identify all trees proposed to be retained or removed using the Tree IDs listed within the Arborist Report prepared by Civica
 - d) A survey (including botanical names) of all existing vegetation to be retained and/or removed
 - e) details of surface finishes of pathways and driveways
 - 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
 - g) a range of plant types from ground covers to large shrubs and trees
 - h) adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);

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- i) A planting theme of a minimum 60% indigenous and 40% native within each plant group;
- j) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Frankston City Council Invasive Species Guide (2019)' are not to be planted.
- k) details of 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
- l) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
- m) Replacing the tree/s to be removed with a suitable species to the satisfaction of the responsible authority
- n) Further details on proposed amphitheatre, including section diagrams to be consistent with the architectural plans prepared by McIldowie Partners.
- o) Recommended maintenance measures for all planted and retained vegetation.

Landscaping Completion

- 5. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of Frankston City Council.

Landscaping Maintenance

- 6. At all times the landscaping shown on the approved landscape plan must be maintained (including replacement of any dead, diseased or damaged plants) to the satisfaction of Frankston City Council.

Tree protection during construction

- 7. Before the development including demolition starts, a tree protection fence must be erected around Trees #416 #417 #418 #438 #439 #440 #441 and #442 at a radius of 50% of the drip line from the base of the trunk(s) to define a 'Tree Protection Zone' (TPZ).

The tree protection fencing, and Tree Protection Zone must be established and maintained in accordance with the following requirements to the satisfaction of the responsible authority:

- a) the tree protection fence must be constructed of star pickets and mesh or hoarding at a minimum height of 1.8 metres.
- b) a fixed sign is to be provided on all visible sides of the TPZ, stating 'Tree Preservation Zone – No Entry without permission from Frankston City Council'.
- c) the tree protection fence must remain in place until the development is completed.
- d) the TPZ must be covered by a 100 mm deep layer of mulch and watered regularly.

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- e) no persons, vehicles or machinery are to enter the TPZ without the consent of the consulting arborist or site manager.
- f) if the area within the TPZ is to be accessed during the construction phase, the area must have ground protection. Measures may include a permeable membrane such as geotextile to cover the TPZ area beneath a 100mm layer of crushed rock below rumble boards.

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

Waste Management Plan

- 8. Before the development starts, including demolition, bulk excavation and site preparation works, a Waste Management Plan (WMP) 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 WMP prepared by One Mile Grid and dated 8 September 2023.

Bushfire Impact Assessment

- 9. Before the development starts, including demolition, bulk excavation and site preparation works, a Bushfire Impact Assessment must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, and be generally in accordance with the Bushfire Impact Assessment prepared by Terralogic and dated 9 September 2023.

Traffic Impact Assessment

- 10. Before the development starts, including demolition, bulk excavation and site preparation works, a Traffic Impact Assessment (TIA) 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 TIA prepared by One Mile Grid and dated 8 September 2023.

Arborist Report

- 11. Before the development starts, including demolition, bulk excavation and site preparation works, an Arborist Report must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Arborist Report prepared by Civica and dated 30 October 2023.

Civil Development

- 12. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Frankston City Council.

The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Frankston City Council.

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Collected stormwater must be retained onsite and discharged into the drainage system at predevelopment peak discharge rates as stated in the Legal Point of Discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.

Environmentally Sustainable Development

13. Before the development starts, including demolition, bulk excavation and site preparation works, an Environmentally Sustainable Design Report (ESD) must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the BESS and STORM Report prepared by BRT and dated September 2023.

General Amenity

14. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of vermin

to the satisfaction of the responsible authority.

Urban Design

15. Air-conditioning plant, compressors and exhaust fans must be located so as to minimise adverse amenity impacts on abutting and nearby residential properties, to the satisfaction of the Responsible Authority.

Lighting

16. Outdoor lighting, external sign lighting and building illumination must at all times be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

Permit Expiry

17. This permit as it relates to development (buildings and works) 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.

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



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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.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

<i>Date extension approved</i>	<i>Period of extension</i>	<i>Commencement date</i>	<i>Completion date</i>	<i>Date to certify plan of subdivision</i>

NOTES:

- These notes are provided for information only and do not constitute part of this permit or conditions of this permit.
- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the permit holder must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The permit holder will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the permit holder and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- Nothing in this permit or any plans or documents approved in accordance with the conditions of this permit should be taken to imply that the development meets the requirements of the Building Act 1993 and its regulations.
- This planning permit does not represent the approval of other departments of the Frankston City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit
- Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Frankston City Council.
- Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.
- Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of the Responsible Authority.

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Precautions must include, appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.

All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

Date issued: 18 January 2024 **Signature for the responsible authority:**

A handwritten signature in black ink, appearing to be 'G. Smith', written over a light blue rectangular background.

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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 issued: 18 January 2024 Signature for the responsible authority:

