

PLANNING PERMIT

Permit No.:	PA2403004
Planning scheme:	Wyndham Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	2 Caddy Road, Tarneit (B\PS804368)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
	Buildings and works to allow the construction of an Early Learning Centre ancillary to an existing primary school (education centre)
32.07-2	Construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.
32.08-9	Construct a building or construct or carry out works for a use in Section 2 of Clause 37.07

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 – changes required

3. Before the development starts, excluding 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 Architectural Plans prepared by Roam Architects and dated 16 August 2024 but amended to show the following details:

- a) Details of initiatives and amendments contained within the Environmentally Sustainable Design Assessment (ESD) under Condition 8 and the following:

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- i. External shading that is effective in reducing unwanted summer solar gains, provided to north-facing glazing to the Library, Consulting room, Manager Office and Staff Room. Alternatively provide a combination of strategies such as reduction in glazing area, ceiling fans and reduced glazing SHGC to address objectives for thermal comfort and reduction of peak energy demand, to the satisfaction of the Responsible Authority
- ii. An open area of 50% specified to the perforated mesh screen PF-1
- iii. Ceiling fans provided to all regular use areas, per ESD and BESS commitments;
- iv. The following ESD and BESS initiatives included in the ESD Notes Table on the Site Plan:
- v. Commitment to all-electric development with no gas connection to the ELC site;
- vi. Any other changes as per the amended ESD.

Layout not altered

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

Landscape Plan

5. Before the development starts, 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, be generally in accordance with the Landscape Plan prepared by FFLA and dates 15 August 2024 and must include the following:
 - a) The raingarden size (area) is noted;
 - b) The raingarden section detail is amended to show a ponding depth of at least 200mm; and
 - c) Any other changes as per the ESD under Condition 8

Completion of landscaping

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

The responsible authority may consent in writing to vary this requirement.

Waste Management Plan

7. Prior to the occupation of the development, a waste management plan must be approved and endorsed by the responsible authority. The waste management plan must be prepared to the satisfaction of Wyndham City Council. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, and show the following details:
 - a) anticipated volumes of waste and recycling that will be generated and how they are determined
 - b) the type and number of waste bins

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- c) the type and size of trucks required for waste collection
- d) a plan detailing adequate areas for waste bin storage and collection for the required type and number of bins
- e) frequency of waste collection
- f) hours for waste collection

Environmentally Sustainable Design

8. Before the development starts, an environmentally sustainable design statement (ESD) must be approved and endorsed by the responsible authority in consultation with Wyndham City Council. The ESD statement must be prepared to the satisfaction of the responsible authority, be generally in accordance with the ESD Report prepared by Building Physics RP and dated 16 August 2024, and must ensure:
- a) Initiatives to encourage active transport modes, including bike parking for staff;
 - b) The daylight assessment amended so that:
 - i. Any glazing that is shaded by overhangs (not including perforated mesh PF-1) not meeting the Overshadowing criteria of the Green Star daylight hand calculation guide is discounted. Alternatively daylight modelling may be used to demonstrate compliance; and
 - ii. At least 33% of the floor area of Regular Use Areas are deemed to achieve a daylight factor of 2% or above; and
 - c) The natural ventilation assessment is amended so that corridor doors are not required to be propped open to facilitate ventilation.

Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed ESD statement, must be documented by the author of the endorsed ESD statement in an addendum or amended statement, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Traffic Impact Assessment

9. Before the development starts, excluding 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, be generally in accordance with the plans Traffic Engineering Assessment prepared by Traffix and dated June 2024.

New vehicular crossings

10. All access points onto Caddy Road must be constructed to the satisfaction of Wyndham City Council. Turning templates are to be provided to demonstrate access, egress and internal manoeuvrability by maximum size vehicles.

Drainage

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

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12. The connection of internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Wyndham City Council.
13. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development 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.
14. All stormwater inlet pits from car parking and paved areas must be grated to prevent the ingress of gross pollutants to Council's stormwater drainage system.

Noise

15. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1. Any works required to ensure and maintain the noise levels are in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.
16. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.

Control of light spill

17. 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.

Excess Building Material Removal

18. Before the development is occupied, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Wyndham City Council.

Expiry

19. 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 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)

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- *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 Wyndham 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 Wyndham City Council.*
- *All access points onto Caddy Road must be constructed to the satisfaction of Wyndham City Council. Turning templates are to be provided to demonstrate access, egress and internal manoeuvrability by maximum size vehicles.*
- *All car parking spaces are to be surfaced with concrete or asphalt with all relevant line markings and underground drainage facilities to the satisfaction of Wyndham City Council.*

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit *at the direction of the Victorian Civil and Administrative Tribunal. (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: 11 October 2024 Signature for the responsible authority:

