

Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

## PLANNING PERMIT

<b>Permit No.:</b>	PA2503744
<b>Planning scheme:</b>	Greater Dandenong Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	182 & 198 Chapel Road Keysborough VIC 3173 (Lot 1 TP 13953 Part Por 55 Vol 10445 Fol 109) <b>(Lot 1 PS44916 Vol 08251 Folio 979)</b>

### THE PERMIT ALLOWS:

<b>Planning scheme clause</b>	<b>Matter for which the permit has been granted</b>
34.08-7	Construct two or more dwellings on a lot

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Development Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be generally in accordance with the plans prepared by MPS Architects, dated **13 November 2025**, but modified to show:
  - a) Deleted.
  - b) Deleted.
  - c) Dimensions of Electrical Kiosk's located in reserves.

#### Layout not altered

2. The layout and staging of the development must not be altered from the layout and staging shown on the approved and endorsed plans without the written consent of the responsible authority.

#### Landscaping

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3. Prior to commencement, an amended landscape plan must be submitted to and approved by the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Human Habitats, dated **November 2025**, but modified to show:
- a) The site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;
  - b) Landscaping of all common and body corporate areas, including the linear open space, linear reserves, tree reserves, road verges and along the length of the north south driveway between Lots 78-118.
  - c) Detailed landscape plans for each of the open spaces and reserves, to include pathways, planting schedules, location of park equipment and seating.
  - d) Details of the proposed layout, type and height of fencing, including open style mesh fencing in green or black finish to the north and western boundaries of the site;
  - e) A pedestrian path to be included within the reserve proposed at the southeast corner of the site, providing access from the development to Chapel Road.
  - f) Legend of all plant types, surfaces, materials and landscape items to be used
  - g) A plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities including a mix of canopy and lower storey trees;
  - h) At least one (1) canopy tree within the rear secluded private open space areas of all dwellings;
  - i) Street trees in common property / public open space areas to be a minimum of 2 metres high when planted, except in the northern and western vegetation buffers, when tubestock of local provenance to be used;
  - j) Tree selection for street trees to be a species that will create a boulevard effect with repetition of a clear trunked medium scaled tree;
  - k) All common property / public open space areas to be accessible to all maintenance vehicles and equipment to undertake all necessary functions;
  - l) Provision of canopy trees, shrubs and ground covers within the vegetation buffer to the west of the site with plant selection informed by advice from a qualified ecologist and generally as appropriate in the EVC55: Plains Grassy Woodlands;
  - m) Inclusion of Water Gum (*Tristania laurina*) in planting of vegetation buffer adjacent to Chapel Road;
  - n) Any open space facilities including BBQs, seating, playground or other open space improvements;
  - o) Planting in the 6.0 metre reserve between dwellings 87 and 88 and 108 and 109 to include smaller canopy vegetation;
  - p) Planting in the 7.0 metre reserve between dwellings 189 and 190 and 202 and 203 to include canopy trees with maximum mature heights of 8m.**
  - q) A minimum of 3 canopy trees with a mature height of greater than 8m to be planted in each of the reserves labelled as Reserve H and Reserve J.**
  - r) Details of proposed soil type where fill is proposed in planting areas; and
  - s) Details of soil preparation and maintenance regime for planting on common property/public open spaces.

When approved, the Landscape Plan will be endorsed and will form part of this permit.

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4. Prior to the occupation of each stage of the development, the landscaping works shown on the approved and endorsed plans for that stage must be carried out and completed to the satisfaction of the Responsible Authority.
5. The landscaping shown on the approved and endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the Responsible Authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants must be replaced.
6. Prior to the occupation of each stage of the development a Landscape Management Plan must be prepared to the satisfaction of the Responsible Authority. The Landscape Management Plan must include matters such (excludes private gardens):
  - a) Weed management;
  - b) Mulching of landscape beds;
  - c) Replacement of dead or diseased plants;
  - d) Protection of landscaping including appropriate staking of trees; and
  - e) Watering of tube stock during the first summer period.

**Tree Management Plan**

7. The recommendations contained in the approved Tree Management Plan must be implemented to the satisfaction of the Responsible Authority.

**Tree Protection during construction**

8. Before the development starts, a tree protection fence must be erected around the tree reserves located along the western and northern boundaries to define a 'Tree Protection Zone'.

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 chain mesh or similar.
- b) The tree protection fence must remain in place until the development is completed.
- c) The Tree Protection Zone 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.

**Environmentally sustainable design**

9. Before the development starts, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The SMP must be generally in accordance with the plan prepared by EcoResults, dated **3 November 2025**, but modified to show:
  - a) NatHERS Certificates for all thermally unique dwellings in the development, with each dwelling to each an energy rating of minimum 7-stars. Details contained within the BESS Report must match the information in the relevant certificate.

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10. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority. The documentation must not be altered without the prior written consent of the Responsible Authority.

**Stormwater Management Plan**

11. Before the use and development starts, a stormwater management plan must be approved and endorsed by the Responsible Authority. The stormwater management plan must be prepared to the satisfaction of the Responsible Authority and must:
- Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
  - Set out how the stormwater management system will be managed on an ongoing basis.
  - Demonstrate how all relevant standards set out in the planning scheme, including modelling and calculations.

**Stormwater Management System – implementation and management**

12. The stormwater management system approved by the Responsible Authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the Responsible Authority.
13. The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the Responsible Authority.

**Waste Management Plan**

14. Before the use and development starts, a waste management plan must be approved and endorsed by the responsible authority. The waste management plan must be approved and endorsed by the Responsible Authority, be generally in accordance with the Resource Management Plan, prepared by Impact, **dated 17 November 2025**.

**Drainage**

15. Prior to commencement, drainage drawings setting out the drainage strategy for the site to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The drainage drawings must show:
- All drainage (including surface drainage) directed to a suitable location on the land;
  - Detail of the required outfall drain connection to stormwater infrastructure;
  - Cross sections including details of retaining walls;
  - Measures to ensure the discharge of water from the property is controlled around its limits to prevent any discharge onto any adjacent property;
  - All retaining walls built with durable materials; and
  - Any calculations and investigations necessary to demonstrate the performance of the drainage system.

**Site Environmental Management Plan (SEMP)**

16. Prior to the commencement of any works, including roadworks, a Site Environmental Management Plan (SEMP) for each stage must be prepared in accordance with the Council Specification Series,

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Construction, in particular Section 211 Control of Erosion and Sedimentation; 212 Clearing and Grubbing and 213 Earthworks and submitted to the Responsible Authority. Once approved the plans will be endorsed and will form part of the Permit and then must be adhered to, all to the satisfaction of the Responsible Authority. The SEMP must show as appropriate:

- a) The goals and objectives of the SEMP;
- b) A Vegetation Management Plan that provides the details of management, protection and rehabilitation of vegetation to be retained;
- c) Measures to be taken to ensure minimal disturbance to native flora and fauna, including the provision of buffers;
- d) Erosion, siltration, dust, run-off and litter controls during construction;
- e) Indicate all provisions into and throughout the site by vehicles, including waste collection vehicles;
- f) Detail methods of restricting site access to pedestrians and vehicles not related to works permitted under this permit;
- g) Detail the method of protecting the reserve areas to be vested in the Council until such time as the reserve is developed; and
- h) Any other matters as required by the Responsible Authority.

**Construction Management Plan**

17. Prior to the commencement of any works including roadworks, a Construction Management Plan must be submitted to and approved by the City of Greater Dandenong. The Construction Management Plan must address all stages of the development, but is not limited to:
  - a) Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
  - b) All Traffic Management Plans for the site demolition, excavation, deliveries and other construction related activities that will affect vehicle and pedestrian traffic;
  - c) The location of all areas on-site and off-site to be used for construction staff parking;
  - d) A Parking Management Plan for all associated construction vehicles;
  - e) All site sheds, portable toilet, storage and materials, etc. must be confined to the land;
  - f) The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises;
  - g) A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways;
  - h) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the land;
  - i) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
  - j) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the land; and
  - k) No mud, dirt, sand, soil, clay or stones are washed into or are allowed to enter the stormwater drainage system.

When approved, the Construction Management Plan will be endorsed and will form part of this permit.

18. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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19. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; and
  - Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

**Environmental Audit**

20. **Prior to the commencement of the use or buildings and works associated with the use for 198 Chapel Road (or the certification or issue of a statement of compliance under the Subdivision Act 1988) the permit holder must provide:**
- An environmental audit statement under Part 8.3, Division 3 of the Environment Protection Act which states that 198 Chapel Road is suitable for the use and development allowed by this permit, or**
  - An environmental audit statement under Part 8.3, Division 3 of the Environment Protection Act which states that 198 Chapel Road is suitable for the use and development allowed by this permit if the recommendations made in the statement are complied with.**
21. **The use and development of the 198 Chapel Road must comply with the recommendations of the Statement of Environmental Audit for the site dated 24 May 2022.**
22. The use and development of 182 Chapel Road must comply with the recommendations of the Statement of Environmental Audit for the site dated 24 May 2022.
23. Prior to the occupation of each stage of development, a letter prepared by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority, must be submitted to the Responsible Authority to verify that the recommendations contained within the Statement have been satisfied. Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.

**Affordable Housing**

24. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:
- At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.
  - An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution

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is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.

25. The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

**Head Transport for Victoria**

26. Before the commencement of the access works on Chapel Road, the bus stop and shelter and any associated infrastructure located to Chapel Road must be relocated at no cost to and to the satisfaction of the Head, Transport for Victoria and compliant with the Disability Discrimination Act 1992 (Cth) and the Disability Standards for Accessible Public Transport 2002.

**General**

27. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
28. Prior to the occupation of each stage of the development, external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways must be provided. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.
29. Prior to the occupation of each stage of the development, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.
30. Prior to the occupation of each stage of the development, all landscaping shown on the endorsed landscape plan must be completed to the satisfaction of the Responsible Authority.
31. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
32. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Responsible Authority.
33. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority. Approval of drainage plan including any retention system within the property boundary is required.
34. Except with the prior written consent of the Responsible Authority, service units, including air conditioning/heating units, must not be located on any of the balcony areas unless visually and acoustically screened to the satisfaction of the Responsible Authority.
35. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.
36. At all times, the landscaping must be maintained in good order in accordance with the endorsed landscape plan and schedule to the satisfaction of the Responsible Authority.

**Cultural Heritage Condition**

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37. Activities carried out on the subject land must comply with the approved Cultural Heritage Management Plan Notice of Approval for all stages on plan number 17034 dated the 22 June 2021 **and the approved Cultural Heritage Management Plan Notice of Approval for all stages on Plan number 20286 dated 3 September 2025 and approved 22 September 2025.**

**Public Open Space**

38. The areas shown as public open space (including tree reserves and the central linear park) on Overall Ground floor Plan (Compliance), DA09, dated November 2025, are recognised as the public open space contribution to satisfy on-site open space requirements and must be available for use by the public at all times despite being owners corporation land within the development. This open space represents the 10.2% open space required to be provided on 182 Chapel Road and the 8.6% on the 198 Chapel Road in accordance with the Keysborough South Development Plan.
39. Prior to the commencement of the development, including subdivision of any part of the land, the owner must enter into an agreement pursuant to s.173 of the Planning and Environment Act 1987, which provides inter alia, as follows:
- The owner must ensure that the public open space areas identified on Overall Ground Floor Plan (Compliance), DA09 dated November 2025, are available for public use at all times; and
  - Are planted and maintained by the owner in accordance with the endorsed plan.

**Commencement**

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

**Expiry - use and development**

41. This permit will expire if one of the following circumstances apply:
- a) The development or any stage of it is not started within 3 years of the issued date of this permit.
  - b) The development or any stage of it is not completed within 5 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.

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
02 April 2026	<ul style="list-style-type: none"><li>• Inclusion of 198 Chapel Road property to the permit</li></ul>	Minister for Planning	Section 72

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	<p>preamble.</p> <ul style="list-style-type: none"><li>• Additional 88 dwellings.</li><li>• Additon of HTfV note.</li><li>• Amendment to conditions 1, 3, 9, 14, 20, 21, 22, 37, 38 and 39 and subsequent renumbering of remaining conditions.</li></ul>		
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**THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:**

Date of extension	Brief description of the extension	Duration of extension

**USEFUL INFORMATION:**

**Head Transport for Victoria Note:**

- Foreseen disruptions to bus operations and mitigation measures must be communicated to Department of Transport and Planning eight (8) weeks prior by telephoning 1800 800 007 or emailing [customerservice@transport.vic.gov.au](mailto:customerservice@transport.vic.gov.au)

**Notes:**

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**

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**WHAT HAS BEEN DECIDED?**

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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**.)

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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**WHEN DOES A PERMIT BEGIN?**

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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.

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**WHEN DOES A PERMIT EXPIRE?**

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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.

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**WHAT ABOUT REVIEWS?**

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- 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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