

PLANNING PERMIT PLN21/0149

Address of the land: 89-91 Gosford Court PARK ORCHARDS

Lot 44 LP 110083 Vol 9317 Fol 448

The permit allows: Earthworks to create a levelled area (part retrospective application)

The following conditions apply to this permit:

Amended Plans

1. Within three (3) months of the date of the permit, amended plans drawn to scale and dimensioned, must be submitted via email and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:

Site Plan

- 1.1 A fully dimensioned site plan drawn to scale and showing the full extent and area of earthworks to clearly show the following:
 - The length and width of fill areas.
 - The top and toe of all batter slopes with gradients shown (1 in 3 gradient slope preferred).
 - Setback dimensions of all earthworks to property boundaries.
 - The location of any retaining walls including rock embankments to be shown.
 - The location of the cross sections required by Condition 1.2.
 - The location of sediment controls as per Condition 3.

Cross Sections

- 1.2 The cross sections amended to show existing levels and profile, the proposed levels, surface slopes and proposed finished surface materials. In relation to the earthworks within the easement, the profile, long section of the drain and typical cross sections of the drain showing width at the bottom of the drain, height of side walls, slope of side walls, material of side walls is required to demonstrate to the satisfaction of the Responsible Authority, that the integrity of the drain is not impacted by the works and will not be washed away in the high intensity rainfall events.

Southern Driveway

- 1.3 The width and longitudinal section for the southern driveway (adjacent to the southern side boundary) to show the extent of fill material that has occurred and to ensure an appropriate gradient slope. Details to be provided for proposals to remove the fill material from the southern boundary fenceline and to ensure a gradient slope of 1:2 maximum between the driveway and boundary fence. If this cannot be achieved, the deletion of the southern

driveway and reinstatement of the land to natural ground level to the satisfaction of the Responsible Authority is required.

Landscape Plan

- 1.4 A conceptual landscape plan to show the filled area will be grassed, and indigenous species of trees to be planted on the eastern side of the filled area (forward of the row of small conifers that have been planted on the eastern boundary).

Endorsed Plans

2. The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Sediment Control

3. Within 60 days of the date of the permit, sediment control measures (such as straw bales or sediment fencing) must be installed to limit erosion and transport of soil and sediment from the site and onto adjoining properties and those downstream, to the satisfaction of the Responsible Authority.
4. These sediment barriers must be located across the northern side of the filled area and remain until the area is fully grassed, in order to adequately limit erosion and transport of soil and sediment runoff, to the satisfaction of the Responsible Authority.

Drainage

5. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Construction Management

6. The owner must use appropriate site management practices during construction to prevent the transfer of mud, dust, sand, slurry, litter, concrete or other construction waste from the site into drains or onto nearby roads. In the event that a road or drain is affected, the owner must upon direction of the responsible authority take the necessary steps to clean the affected portion of road or drain to the satisfaction of the Responsible Authority.
7. The extent of fill must not exceed that shown on the approved plan without the written consent of the Responsible Authority.

Completion of Landscaping/Stabilisation Works

8. The grassing and landscaping of the levelled area, must be carried out within three (3) months of issue date of the permit, to the satisfaction of the Responsible Authority.

Effluent Disposal

9. Within three months of the issuing of this permit, a permit must be obtained from Council's Health Department to either 'Alter' the existing septic system or 'Install' a new septic system in an alternative location onsite.

Permit Expiry

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



- 10.1 The submission of Condition 1 plans is not undertaken within three (3) months of the date of this permit; and
- 10.2 The development (including grassing/ landscaping and tree planting) is not completed within six (6) months of the approval of the plans for endorsement.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

Notes:

Submission of Plans

All plans (except for the engineering construction plan) submitted in accordance with the Permit should be submitted online. Search for your planning application on the [planning applications portal](#) and select **Endorse Plans**.

How to avoid the expiry of this permit

Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- Before it expires; or
- Within 6 months of the expiry if the permit has not been acted on; or
- Within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.



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
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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 –
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Date issued: 24 January 2022



Signature for the
Responsible Authority

- 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?

- 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.

