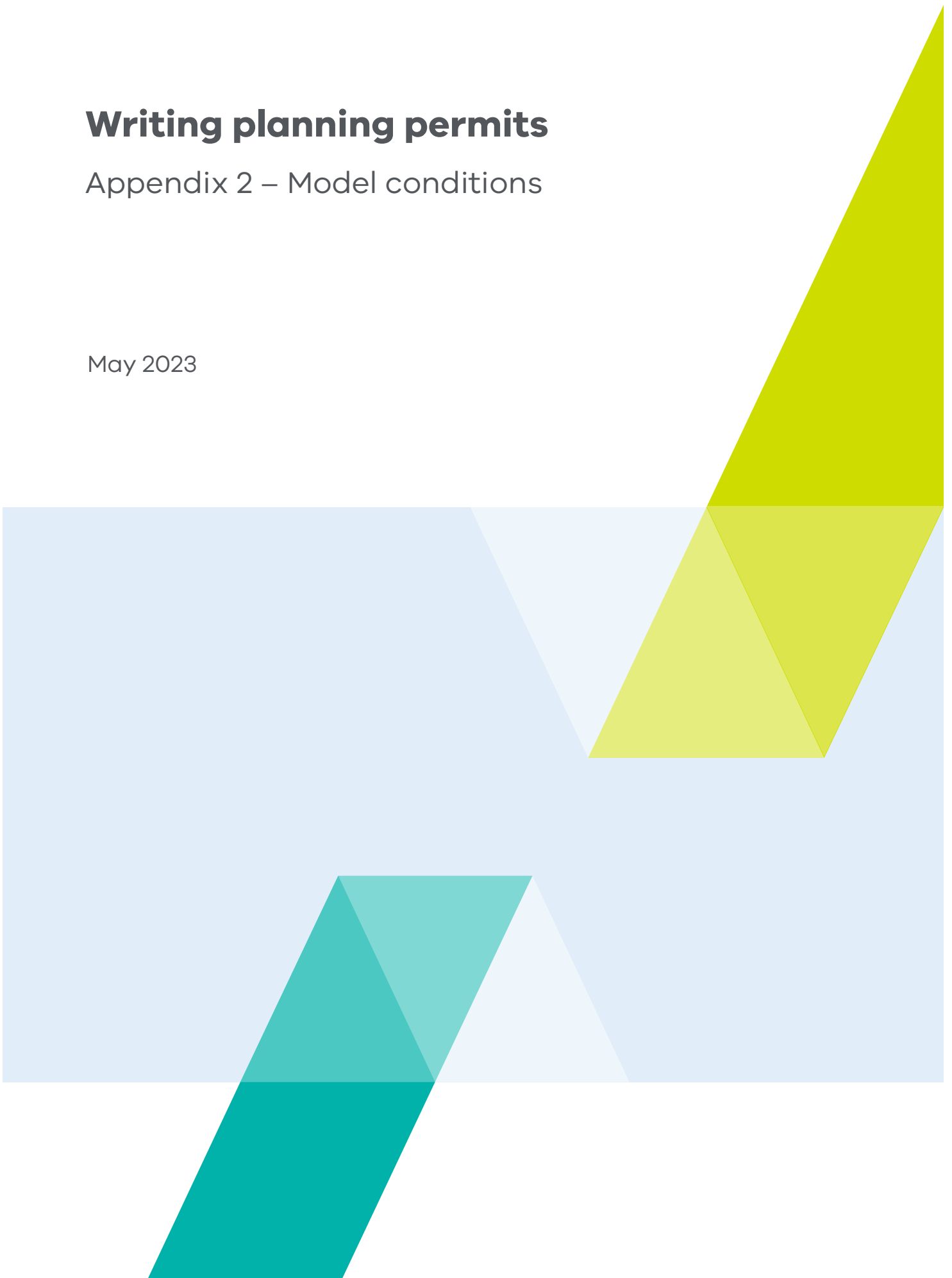


Writing planning permits

Appendix 2 – Model conditions

May 2023



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1 Commencement and expiry

EXC1.1	Heading:	Commencement of Permit
	Condition:	This permit will operate from the issued date of this permit.
	Notes:	<i>Include in all permits See chapter 6.1</i>
EXC1.2	Heading:	Commencement – Breach of registered restrictive covenant
	Condition:	This permit will not come into effect until the covenant contained in Instrument of Transfer <i>[insert details]</i> in the Register of Titles is removed or varied to avoid a breach of the covenant by this permit.
	Notes:	<i>Include in any permit where the grant of the permit would authorise anything that would result in a breach of a registered restrictive covenant Mandatory condition required by Planning and Environment Act 1987 section 62(1)(aa) See chapters 5.1.1 and 6.1.2</i>
EXC1.3	Heading:	Expiry – Development
	Condition:	This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies: <ul style="list-style-type: none"> 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. <p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.</p>
	Notes:	<i>Include in all permits for development for buildings and works with appropriate modification to time for starting and completion. Where development is to be undertaken in stages, include additional conditions stating when each stage of development is to be started and completed. See chapter 6.2.1</i>
EXC1.4	Heading:	Expiry – Subdivision
	Condition:	This permit as it relates to development (subdivision) will expire if one of the following circumstances applies: <ul style="list-style-type: none"> a) The plan of subdivision has not been certified under the <i>Subdivision Act 1988</i> within 2 years of the issued date of this permit. b) A statement of compliance is not issued within 5 years of the date of certification.



	<p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.</p>
	<p>Notes: <i>Include in all permits for development for subdivision with appropriate modification to time for plan certification and statement of compliance. Where subdivision is to be undertaken in stages, include additional conditions stating when each stage of development is to be started and completed.</i></p> <p><i>See chapter 6.2.1</i></p>
EXC1.5	<p>Heading: Expiry – Staged subdivision</p>
	<p>Condition: This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:</p> <ol style="list-style-type: none">a) The plan of subdivision for the first stage has not been certified under the <i>Subdivision Act 1988</i> within 2 years of the issued date of this permit.b) All stages of the plan of subdivision have not been certified within <i>[insert number]</i> years of the issued date of this permit.c) A statement of compliance is not issued within 5 years of the date of certification of a particular stage of subdivision. <p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.</p>
	<p>Notes: <i>Include in all permits for development for staged subdivision with appropriate modification to time for plan certification and statement of compliance. Where subdivision is to be undertaken in stages, include additional conditions stating when each stage of development is to be started and completed.</i></p> <p><i>See chapter 6.2.1</i></p>
EXC1.6	<p>Heading: Expiry – Use</p>
	<p>Condition: This permit as it relates to use will expire if the use does not start within 2 years after the issued date of this permit.</p> <p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.</p>
	<p>Notes: <i>See chapter 6.2.1</i></p>
EXC1.7	<p>Heading: Expiry – Development and use</p>
	<p>Condition: This permit will expire if one of the following circumstances applies:</p> <ol style="list-style-type: none">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.



	<p>c) The use does not start within 2 years of completion of the development.</p> <p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.</p>
	<p>Notes: <i>Include in all permits for use and development for buildings and works with appropriate modification to time for starting and completion. Where development is to be undertaken in stages, include additional conditions stating when each stage of development is to be started and completed.</i></p> <p><i>See chapter 6.2.1</i></p>
EXC1.8	<p>Heading: Expiry – Removal or variation of an easement or restriction</p>
	<p>Condition: This permit will expire if:</p> <p>a) The plan has not been certified under the <i>Subdivision Act 1988</i> within 2 years of the issued date of this permit.</p> <p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.</p>
	<p>Notes:</p>

2 Endorsed plans and layout

PC2.1	Heading:	Compliance with documents approved under this permit
	Condition:	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.
	Notes:	<i>Include in all permits as the first condition. See chapter 4.2.1</i>
PC2.2	Heading:	Approved and endorsed plans – no changes required
	Condition:	Before the <i>[insert use OR development OR use and development as appropriate]</i> starts, plans must be approved and endorsed by the responsible authority. The plans must: <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be drawn to scale with dimensions c) submitted in electronic form d) be generally in accordance with the plans that form part of the application.
	Notes:	<i>Use where the application documents are appropriate for approval without any changes. See chapter 4.2.3</i>
PC2.3	Heading:	Approved and endorsed plans – changes required
	Condition:	Before the <i>[insert use OR development OR use and development as appropriate]</i> starts, plans must be approved and endorsed by the responsible authority. The plans must: <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be drawn to scale with dimensions c) submitted in electronic form d) be generally in accordance with the plans <i>[or insert specific name of plan or document]</i> forming part of the application and identified as <i>[insert plan title, reference number, revision number, author and/or date]</i>, but amended to show the following details: <ul style="list-style-type: none"> i. <i>[insert required details]</i> ii. <i>[insert required details].</i>
	Notes:	<i>Use where changes are required to be made to application documents before they can be approved. Ensure that the changes specified:</i> <ul style="list-style-type: none"> ▪ <i>are specific</i> ▪ <i>are unambiguous</i>



	<ul style="list-style-type: none"> ▪ <i>identify whether items/design elements/technical details/numbers etc. are to be:</i> <ul style="list-style-type: none"> - <i>altered and if so, how</i> - <i>deleted</i> - <i>added.</i> <p><i>See chapter 4.2.3</i></p>
PC2.4	<p>Heading: Approved and Endorsed Plans - no document previously submitted</p> <hr/> <p>Condition: Before the <i>[insert use OR development, OR use and development as appropriate]</i> starts, plans must be approved and endorsed by the responsible authority. The plans must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be drawn to scale with dimensions c) submitted in electronic form d) show the following details: <ul style="list-style-type: none"> i. <i>[insert required details]</i> ii. <i>[insert required details].</i> <hr/> <p>Notes: <i>Use where the required document was not submitted with the application.</i> <i>See chapter 4.3</i></p>
PC2.5	<p>Heading: Layout not altered</p> <hr/> <p>Condition: The layout of the <i>[insert use OR development OR use and development as appropriate]</i> must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.</p> <hr/> <p>Notes: <i>See chapter 4.2.5</i></p>

3 General

GC3.1	Heading:	Agreements under section 173 of the Act - generic
	Condition:	<p>Before the <i>[insert use, or development and use as appropriate]</i> <i>[excluding any demolition, bulk excavation, construction or carrying out of works – specify all or any of these if relevant]</i> starts, the owner of the land must enter into an agreement with the responsible authority <i>[and name of other authority or person if relevant]</i> under section 173 of the <i>Planning and Environment Act 1987</i>. The agreement must provide the following:</p> <p>a) <i>[insert required details]</i></p> <p>b) <i>[insert required details]</i>.</p> <p>The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.</p>
	Notes:	<p><i>There is no need to provide for the registration of an agreement in a permit condition. Section 181(1) of the Act provides that a responsible authority must apply to the Registrar of Titles, without delay, to record an agreement relating to land other than Crown land.</i></p> <p><i>See chapter 10.3</i></p>
GC3.2	Heading:	Cancellation of existing permit
	Condition:	<p>Before the <i>[insert use or development and use as appropriate]</i> starts, planning permit number <i>[insert number]</i> must be cancelled. Proof must be provided to the satisfaction of the responsible authority that this has occurred.</p>
	Notes:	<p><i>Use when a permit conflicts with an earlier permit requirement or where multiple permits apply to a use or development and it is proposed that the new permit will become an omnibus permit which includes all current, relevant requirements.</i></p> <p><i>See chapter 6.1.3</i></p>
GC3.3	Heading:	Amendment of existing permit
	Condition:	<p>Before the <i>[insert use or development and use as appropriate]</i> starts, planning permit number <i>[insert number]</i> must be amended as follows.</p> <p>a) <i>[insert required details]</i></p> <p>b) <i>[insert required details]</i>.</p> <p>Proof must be provided to the satisfaction of the responsible authority that this has occurred.</p>
	Notes:	<p><i>Use when a permit conflicts with an earlier permit requirement affecting the same land which should be amended to remove the inconsistency.</i></p>



		<i>See chapter 6.1.3.</i>
GC3.4	Heading:	Limited life permit
	Condition:	The use of the land for <i>[insert use]</i> must cease within <i>[insert number years]</i> from the issued date of this permit The responsible authority may consent in writing to extend this time.
	Notes:	<i>See chapter 6.8</i>
GC3.5	Heading:	No compensation payable
	Condition:	No compensation is payable under part 5 of the <i>Planning and Environment Act 1987</i> in respect of anything done under this permit.
	Notes:	<i>See PE Act section 98(3)(b)</i> <i>This condition may be appropriate where use or development is allowed on land subject to a Public Acquisition Overlay on an interim basis.</i>
GC3.6	Heading:	Materials and colours schedule
	Condition:	Before the development starts, a schedule of construction materials, external finishes and colours must be approved and endorsed by the responsible authority. The schedule must: a) be prepared to the satisfaction of the responsible authority b) include the following: i. paint samples ii. swatch samples of materials iii. <i>[insert required details]</i> . The responsible authority may consent in writing to vary these requirements and the details in an approved schedule.
	Notes:	

4 Amenity

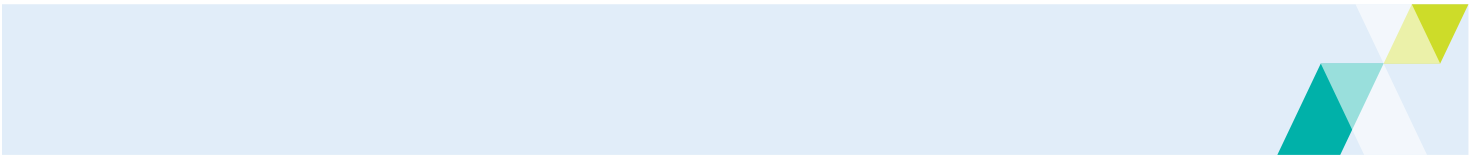
AC4.1	Heading:	General amenity provision
	Condition:	<p>The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:</p> <ol style="list-style-type: none"> transport of materials, goods or commodities to or from the land appearance of any building, works or materials emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil presence of vermin <i>[insert other details as appropriate]</i> <p>to the satisfaction of the responsible authority.</p>
	Notes:	<p><i>Use where the use or development has a real potential to cause off-site amenity impacts, such as industrial or entertainment use or development.</i></p> <p><i>It is not appropriate to include as a catch-all condition in all permits irrespective of the potential for amenity impacts.</i></p>
AC4.2	Heading:	Hours of operation
	Condition:	<p>The use must only operate between the following times:</p> <ol style="list-style-type: none"> ___ am and ___ pm Monday to Friday ___ am and ___ pm Saturday ___ am and ___ pm Sunday or public holiday. <p>The responsible authority may consent in writing to vary these requirements.</p>
	Notes:	<i>See chapters 4.2</i>
AC4.3	Heading:	Regulation of delivery times
	Condition:	<p>Deliveries to and from the site (including waste collection) must only take place between the following times:</p> <ol style="list-style-type: none"> ___ am and ___ pm Monday to Friday ___ am and ___ pm Saturday ___ am and ___ pm Sunday or public holiday. <p>The responsible authority may consent in writing to vary these requirements.</p>
	Notes:	<p><i>Use where the operator has a discretion when deliveries may occur provided they are within the hours specified.</i></p> <p><i>It is not necessary to specify that deliveries must only take place within certain hours.</i></p> <p><i>See chapters 4.2 and 9.4</i></p>



AC4.4	Heading:	Limit on number of persons
	Condition:	At any time no more than <i>[insert number]</i> persons <i>[or patrons/ patients/staff, etc.as appropriate]</i> may be present on the land. The responsible authority may consent in writing to vary this requirement.
	Notes:	See chapters 4.2 and 9.4
AC4.5	Heading:	Record of patron numbers
	Condition:	At any time no more than <i>[insert number]</i> patrons may be present on the land. The responsible authority may consent in writing to vary this requirement. Patron numbers must be counted and logged, and records must be made available on request to an authorised police officer, an authorised officer of the responsible authority, or an authorised officer under the <i>Liquor Control Reform Act 1998</i> at any time.
	Notes:	See chapters 4.2 and 9.4
AC4.6	Heading:	Maximum seating
	Condition:	At any time no more than <i>[specify number]</i> seats may be made available to patrons on the land. The responsible authority may consent in writing to vary this requirement.
	Notes:	See chapters 4.2 and 9.4
AC4.7	Heading:	Provision of seating
	Condition:	At all times tables and chairs must be placed in position on the land so as to be available for at least <i>[specify number]</i> patrons. The responsible authority may consent in writing to vary these requirements.
	Notes:	See chapters 4.2 and 9.4
AC4.8	Heading:	Licensed premises – regulation of sale and consumption of liquor
	Condition:	The predominant activity carried out on the land must be the preparation and serving of meals for consumption on the premises.
	Notes:	<i>This condition may be applied to a permit for sale and consumption of liquor to restrict the nature of bar/café/restaurant uses.</i>
AC4.9	Heading:	Licensed premises – management / supervision of premises
	Condition:	At all times when the premises is open for business, a designated manager must be in charge of the premises to the satisfaction of the responsible authority.



		<p>The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any authorised police officer, any authorised officer of the responsible authority, or any authorised officer under the <i>Liquor Control Reform Act 1998</i>, and to take action on behalf of the operator in accordance with a direction by such officer.</p>
	Notes:	
AC4.10	Heading:	Noise control
	Condition:	<p>At all times noise emanating from the land must comply with the requirements of the <i>Environment Protection Regulations 2021</i> (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.</p> <p>Noise Protocol means the <i>Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues</i>, published by the Environment Protection Authority on its website, as in force from time to time.</p>
	Notes:	<i>See chapter 10.10</i>
AC4.11	Heading:	Noise must not be audible
	Condition:	<p>Noise generated from within the premises must not be audible within the habitable rooms with windows closed of any nearby dwellings to the satisfaction of the responsible authority.</p>
	Notes:	<i>See chapter 10.10</i>
AC4.12	Heading:	Noise monitor and report
	Condition:	<p>Before the use starts, the operator must install and maintain to the satisfaction of the responsible authority a Noise Monitor and Limiter (“the Device”). The Device must be set at a level by a qualified acoustic engineer to ensure the escape of amplified music noise from the land does not exceed the requirements of the <i>Environment Protection Regulations 2021</i> (as amended from time to time) as measured in accordance with the Noise Protocol.</p> <p>Noise Protocol means the <i>Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues</i>, published by the Environment Protections Authority on its website, as in force from time to time.</p> <p>Within 3 months of the use starting, a report must be submitted to the responsible authority. The report must:</p> <ol style="list-style-type: none">a) be prepared to the satisfaction of the responsible authorityb) be prepared by a suitably qualified acoustic engineerc) confirm that the Device is operating and has the following characteristics which are also operating:<ol style="list-style-type: none">i. the Device limits internal noise levels so as to ensure compliance with the music noise limits according to the <i>Environment Protection Regulations 2021</i>



	<ul style="list-style-type: none">ii. the Device has a limiter suitable for interfacing with a Permanently Installed Sound System which will include any amplification equipment and loudspeakersiii. the Device monitors noise levels at frequencies between 50Hz and 100Hz and is wired so as to ensure that the limiter governs all power points potentially accessible for amplificationiv. the Device controls are in a locked metal case that is not accessible by personnel other than a qualified acoustic engineer or technician nominated by the owner of the land and notified to the responsible authorityv. the Device is installed to control all amplification equipment and associated loudspeakersvi. the Device is set in such a way that the power to the amplification equipment is disconnected for 15 seconds if the sound level generated by the amplification equipment exceeds for one second the maximum sound level for which the monitor is setvii. the monitor level component of the Device includes a calibratable frequency discriminating sound analyser with an internal microphone incorporated in its own tamper-proof enclosure (beyond the normal reach of a person)viii. the Device must prevent a relevant noise level referred to in these conditions being exceededix. the Device demonstrates compliance with noise limits in the <i>Environment Protection Regulations 2021</i>.
	Notes: See chapter 10.10
AC4.13	Heading: Noise and amenity plan / patron management plan
	Condition: Before the <i>[insert use or development, or use and development as appropriate]</i> starts, a noise and amenity plan/ patron management plan must be approved and endorsed by the responsible authority. The noise and amenity plan/ patron management plan must: <ul style="list-style-type: none">a) be prepared to the satisfaction of the responsible authorityb) be submitted to the responsible authority in electronic formc) include the following details:<ul style="list-style-type: none">i. staffing and other measures which are designed to ensure the orderly arrival and departure of patronsii. signage to be used to encourage responsible off-site patron behaviouriii. the training of staff in the management of patron behaviouriv. staff communication arrangementsv. measures to control noise emissions from the premises



	<p>vi. complaint handling process to effectively manage any complaints received. This must include a Complaints Register to be kept at the premises which records details of the complaint received, any action taken and the response provided to the complainant</p> <p>vii. <i>[specify other requirements]</i>.</p> <p>The responsible authority may consent in writing to vary any of these details.</p>
	<p>Notes: See chapters 4.2 and 9.4</p>
AC4.14	<p>Heading: Security alarms</p> <p>Condition: All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service to the satisfaction of the responsible authority.</p> <p>Notes:</p>
AC4.15	<p>Heading: Loudspeakers</p> <p>Condition: No external sound amplification equipment, loudspeakers or public address system are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.</p> <p>Notes:</p>
AC4.16	<p>Heading: Soundproofing of plant and equipment</p> <p>Condition: All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority.</p> <p>Notes:</p>
AC4.17	<p>Heading: Acoustic fencing/mounding</p> <p>Condition: Before the <i>[insert use or development, or use and development as appropriate]</i> starts, an acoustic fence must be erected <i>[or earth mounding must be put in place- insert as appropriate]</i> along the <i>[insert relevant boundary/ boundaries]</i> of the land to a minimum height of <i>[insert height of fence or mound in metres]</i> above natural ground level to the satisfaction of the responsible authority.</p> <p>The fence <i>[or mound]</i> must be designed by a suitably qualified acoustic engineer to the satisfaction or the responsible authority.</p> <p>Notes:</p>
AC4.18	<p>Heading: Screening requirement</p> <p>Condition: Before the development is occupied, a free-standing trellis (maximum 25 per cent openings) must be erected to a height above the existing fence on the <i>[insert boundary for example 'northern]</i> boundary of the site to an overall height of <i>[insert height in metres]</i> above natural ground level, to restrict overlooking into the <i>[private]</i></p>



	<p><i>open space areas and/or the habitable room windows the dwelling(s) - insert as appropriate]</i> of the adjoining residential property to the satisfaction of the responsible authority.</p> <p>The trellis must be framed, formed and maintained to the satisfaction of the responsible authority.</p>
	Notes:
AC4.19	<p>Heading: Concealed service pipes and equipment</p> <p>Condition: All pipes, fixtures, fittings vents, plant and equipment servicing any building on the site (excluding storm water down pipes, guttering and rainheads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.</p>
	Notes:
AC4.20	<p>Heading: Plant/equipment or features on roof</p> <p>Condition: No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building(s).</p>
	Notes:
AC4.21	<p>Heading: Boundary walls</p> <p>Condition: Before the development is occupied, all new or extended walls on or facing the boundaries of adjoining properties or a laneway must be cleaned and finished to the satisfaction of the responsible authority.</p>
	Notes:
AC4.22	<p>Heading: Waste storage</p> <p>Condition: All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.</p>
	Notes:
AC4.23	<p>Heading: Regular waste removal</p> <p>Condition: All waste material not required for further on- site processing must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the responsible authority.</p>
	Notes:
AC4.24	<p>Heading: Wheel-wash</p> <p>Condition: A truck wheel-wash must be installed and used to the satisfaction of the responsible authority so vehicles leaving the site do not deposit mud or other materials on roadways.</p>



	Notes:
AC4.25	Heading: Dust control
	Condition: <i>Roads/storage areas/external stockpiles/ vacant or grazed areas must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the responsible authority.</i>
	Notes:
AC4.26	Heading: Control of light spill
	Condition: 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.
	Notes:
AC4.27	Heading: Sales to the public from industrial premises
	Condition: Direct sales of goods or other materials must not be made to the public on the land.
	Notes:
AC4.28	Heading: Specified operator only
	Condition: The use of land allowed under this permit must only be carried out by <i>[insert name and address of operator]</i> . This permit will expire if <i>[insert name of operator]</i> ceases to use the land under this permit. The responsible authority may consent in writing to vary this requirement.
	Notes: <i>This condition should only be applied where the operator has special qualifications to carry out the use and the permit would not have been granted if the operator did not possess those qualifications. See chapters 6.9, 4.2 and 9.4</i>
AC4.29	Heading: Waste management plan
	Condition: Before the <i>[insert use or development, or use and development as appropriate]</i> starts, a waste management plan must be approved and endorsed by the responsible authority. The waste management plan must: a) be prepared to the satisfaction of the responsible authority b) be submitted in electronic form c) include the following: i. anticipated volumes of waste and recycling that will be generated and how they are determined ii. the type and number of waste bins iii. the type and size of trucks required for waste collection



	<ul style="list-style-type: none">iv. a plan detailing adequate areas for waste bin storage and collection for the required type and number of binsv. frequency of waste collectionvi. hours for waste collectionvii. <i>[insert other requirements]</i>. <p>The responsible authority may consent in writing to vary these requirements.</p>
AC4.30	Heading: Waste management and collection
	Condition: Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the responsible authority.
	Notes:

5 Traffic, car parking, loading and access

TC5.1	<p>Heading: Traffic and parking management plan</p>
	<p>Condition: Before the <i>[insert use or development, or use and development as appropriate]</i> starts, a traffic and parking management plan must be approved and endorsed by the responsible authority. The plan must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be submitted to the responsible authority in electronic form c) be generally in accordance with the traffic and parking management plan forming part of the application, but amended to include the following details: OR d) The plan must include the following details: <ul style="list-style-type: none"> i. the means by which the on-site car parking and bicycle parking spaces will be allocated and managed ii. the location of all areas on-and/or off-site to be used for staff and patron parking iii. owner's permission and any required planning permission for parking on other land iv. specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site v. the number and location of all on- and off- site security staff vi. the means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site vii. measures to discourage patron car parking in (specify location) viii. measures to preclude staff parking in designated patron car parking areas ix. staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time x. <i>[insert other requirements]</i>. <p>The responsible authority may consent in writing to vary any of these requirements.</p>
	<p>Notes: See chapters 4.2 and 9.4</p>
TC5.2	<p>Heading: Car park construction</p>
	<p>Condition: Before the <i>[insert use or development, or use and development as appropriate]</i> starts, the area(s) set aside for the parking of vehicles</p>



	<p>and bicycles, and access lanes as shown on the endorsed plans must be:</p> <ol style="list-style-type: none"> a) constructed b) properly formed to such levels that they can be used in accordance with the plans c) surfaced with an all-weather-seal coat d) drained e) line marked to indicate each car space and all access lanes f) clearly marked to show the direction of traffic along access lanes and driveways <p>to the satisfaction of the responsible authority.</p> <p>At all times car spaces, access lanes and driveways must be kept available for these purposes.</p> <p>Once constructed, these areas must be maintained to the satisfaction of the responsible authority.</p>
	<p>Notes: See chapters 4.2 and 9.4</p>
TC5.3	<p>Heading: Vehicle manoeuvring</p>
	<p>Condition: All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.</p>
	<p>Notes:</p>
TC5.4	<p>Heading: Number of car spaces required</p>
	<p>Condition: No fewer than <i>[insert number]</i> car space(s) must be provided on the land.</p>
	<p>Notes: Deal with car parking for disabled persons in a separate condition.</p>
TC5.5	<p>Heading: Limit number of car spaces</p>
	<p>Condition: The number of car parking spaces must not exceed <i>[insert number]</i>. The responsible authority may consent in writing to vary this requirement.</p>
	<p>Notes: See chapters 4.2 and 9.4</p>
TC5.6	<p>Heading: Car parking for disabled persons</p>
	<p>Condition: A minimum of <i>[insert number]</i> car space(s) must be provided for the exclusive use of disabled persons.</p> <p>The car space(s) must be provided as close as practicable to a suitable entrance of the building and must be clearly marked with a sign to indicate that the space(s) must only be utilised by disabled persons to the satisfaction of the responsible authority.</p> <p>The dimensions and layout of the car space(s) must be in accordance with Australian Standard AS2890.6-2009 (<i>Accessible (Disabled) Car Parking Requirements</i>) and the Building Code of Australia.</p>



	Notes:
TC5.7	Heading: Parking signs
	Condition: Before the <i>[insert use starts or the development is occupied, as appropriate]</i> , a sign/signs must be provided directing drivers to the area(s) set aside for car parking to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres <i>[insert alternative size if appropriate]</i> . At all times, the sign/signs must be located and maintained to the satisfaction of the responsible authority.
	Notes: <i>See chapter 4.2</i>
TC5.8	Heading: Protective kerbs
	Condition: Before the <i>[insert use starts or the development is occupied, as appropriate]</i> , protective kerbs to prevent damage to fences or landscaped areas must be provided to the satisfaction of the responsible authority.
	Notes:
TC5.9	Heading: New vehicular crossings
	Condition: Before the <i>[insert use starts or the development is occupied, as appropriate]</i> , any new vehicular crossing(s) must be constructed to the satisfaction of the responsible authority.
	Notes: <i>Deal with removal of redundant vehicle crossings and reinstatement as a separate condition. See below.</i> <i>See chapter 4.2</i>
TC5.10	Heading: Vehicle crossing removal
	Condition: Before the <i>[insert use starts or the development is occupied, as appropriate]</i> , all existing disused or redundant vehicle crossings must be removed and the nature strip and kerb and channel reinstated to the satisfaction of the Responsible Authority at the cost of the owner.
	Notes: <i>See chapter 4.2</i>
TC5.11	Heading: Provision of kerb/barriers
	Condition: Before the <i>[insert use starts or the development is occupied, as appropriate]</i> , concrete kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent direct vehicle access to <i>[specify road(s)]</i> other than via the vehicle crossing(s) shown on the endorsed plans.
	Notes: <i>See chapter 4.2</i>
TC5.12	Heading: Controlled access points
	Condition: Access to the site must only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works must be



		constructed to the satisfaction of the <i>[insert Department of Transport / Head, Transport for Victoria, or responsible authority as appropriate]</i> .
	Notes:	See chapter 4.2
TC5.13	Heading:	Vehicle access
	Condition:	Access to, and egress from the land must only be at the vehicular ingress and egress points shown on the endorsed plans. The responsible authority may consent in writing to vary these ingress and egress points.
	Notes:	
TC5.14	Heading:	Access roads
	Condition:	Access to and egress from the land for all commercial vehicles (including waste collection vehicles) must only be from <i>[nominate the roads]</i> . The responsible authority may consent in writing to vary this requirement.
	Notes:	
TC5.15	Heading:	Mechanical stackers
	Condition:	The mechanical stackers must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.
	Notes:	
TC5.16	Heading:	Security gate
	Condition:	Any security boom, barrier, card reader or similar device controlling vehicular access to the land must be located a minimum of six metres inside the property to allow vehicles to store clear of <i>[specify road]</i> pavement and footpath. The responsible authority may consent in writing to vary this requirement.
	Notes:	See chapter 4.2
TC5.17	Heading:	Loading/unloading
	Condition:	The loading and unloading of goods from vehicles must only be carried out on the land <i>[within the designated loading bay(s) – insert if appropriate]</i> and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

6 Landscaping

LC6.1	<p>Heading: Landscape plan</p>
	<p>Condition: Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be prepared by a suitably qualified person c) have plans drawn to scale with dimensions d) be submitted to the responsible authority in electronic form <i>[or specify the number of hard copies to be provided, if required]</i> e) include the following: <ul style="list-style-type: none"> i. layout of landscaping and planting within all open areas of the subject land ii. a survey (including botanical names) of all existing vegetation to be retained and/or removed iii. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary iv. details of surface finishes of pathways and driveways v. 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 vi. <i>[insert number]</i> canopy trees (minimum two metres tall when planted) in the following areas: <i>[specify location]</i> vii. 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 viii. <i>[insert other requirements]</i>. <p>The responsible authority may consent in writing to vary any of these requirements.</p>
	<p>Notes: See chapters 4.2, 9.4 and 10.7</p>
LC6.2	<p>Heading: Completion of landscaping</p>
	<p>Condition: Before the <i>[use starts OR development is occupied OR within (insert number) months of completion of development – insert as appropriate]</i>, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.</p>



		The responsible authority may consent in writing to vary this requirement.
	Notes:	See chapter 10.7
LC6.3	Heading:	Landscaping maintenance
	Condition:	At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.
	Notes:	See chapter 10.7
LC6.4	Heading:	Landscaping for dwellings
	Condition:	<p>Before occupation of a dwelling, landscaping must be carried out to the satisfaction of the responsible authority. The landscaping must include for each dwelling:</p> <ol style="list-style-type: none"> a) <i>[insert number]</i> of trees that mature to <i>[insert]</i> metres canopy width and <i>[insert]</i> metres height b) <i>[insert number]</i> of shrubs c) screen planting alongside boundaries at the front of each dwelling d) <i>[insert other requirements]</i>. <p>The landscaping must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.</p>
	Notes:	<p>Use instead of condition requiring approval and endorsement of a landscape plan in circumstances where a development for dwellings does not justify a complex landscape plan but a simpler condition requiring basic planting of trees and shrubs but allows residents to vary planting in the garden to suit their tastes.</p> <p>See chapter 10.7.</p>
LC6.5	Heading:	Tree protection during construction
	Condition:	<p>Before the development <i>[including demolition – insert if relevant]</i> starts, a tree protection fence must be erected around the <i>[insert details of tree(s)]</i> at a radius of <i>[insert number]</i> metres from the base of the trunk(s) to define a 'Tree Protection Zone'.</p> <p>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:</p> <ol style="list-style-type: none"> a) the tree protection fence must be constructed of <i>[specify star pickets and chain mesh or similar]</i> b) the tree protection fence must remain in place until the development is completed c) the Tree Protection Zone must be covered by a 100 mm deep layer of mulch and watered regularly.



		The responsible authority may consent in writing to vary any of these requirements.
	Notes:	<i>The above condition may be modified to require protection of other types of vegetation.</i>
LC6.6	Heading:	Regulation of activities in Tree Protection Zone
	Condition:	<p>During the course of construction, the Tree Protection Zone must not be used for:</p> <ul style="list-style-type: none"> a) vehicular or pedestrian access b) trenching or soil excavation c) storage or dumping of materials, tools, equipment or waste d) <i>[insert other activities]</i>. <p>The responsible authority may consent in writing to vary any of these requirements.</p>
	Notes:	<i>To be used in conjunction with condition for tree protection.</i>
LC6.7	Heading:	Pruning of trees to be retained
	Condition:	<p>Any pruning that is required to be done to the canopy of <i>[any tree to be retained OR specify particular tree(s) – insert as appropriate]</i> must be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996, to the satisfaction of the responsible authority.</p> <p>Any pruning of the root system of <i>[any tree to be retained OR specify particular tree(s) – insert as appropriate]</i> must be done by hand by a qualified arborist, to the satisfaction of the responsible authority.</p>
	Notes:	
LC6.8	Heading:	Removal of street tree(s)
	Condition:	Before the development starts, a fee of <i>[insert fee]</i> must be paid to the responsible authority for removal of the existing street tree(s) which is/are identified for removal on the endorsed plans.
	Notes:	
LC6.9	Heading:	Replacement of street tree(s)
	Condition:	<p>Before the <i>[insert development is occupied OR the use starts, as appropriate]</i> street tree(s) to be removed must be replaced with an advanced tree(s) (minimum of two metres high at time of planting), of a species and in a location to the satisfaction of the responsible authority.</p> <p>The replacement tree(s) must be maintained to the satisfaction of the responsible authority for a period of 24 months after planting.</p> <p>The responsible authority may consent in writing to vary any of these requirements.</p>
	Notes:	

7 Conserving built heritage

<p>HC7.1</p>	<p>Heading: Recording before demolition</p> <hr/> <p>Condition: Before the demolition starts, an annotated photographic study of the building prepared to the satisfaction of the responsible authority must be submitted to the responsible authority as a record of the building. The annotated photographic study must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority. b) be prepared by a suitably qualified person c) be submitted to the responsible authority electronically and with one archival quality hard copy d) include the following: <ul style="list-style-type: none"> i. each elevation of the building ii. the interior of the building <i>[insert if relevant]</i> iii. architectural design detailing of the building iv. a statement prepared by an architectural historian describing and explaining both the design and construction of the building and the photographs. <hr/> <p>Notes:</p>
<p>HC7.2</p>	<p>Heading: Conservation management plan</p> <hr/> <p>Condition: Before the development (including demolition) starts, a conservation management plan must be approved and endorsed by the responsible authority. The conservation management plan must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) identify the buildings and works to be conserved and include: <ul style="list-style-type: none"> i. window and door repairs/restoration ii. external joinery restoration iii. stripping of painted brickwork iv. fence design v. removal of the slate tiles on the portion of the building that is to be demolished and their re-use to repair the remaining roof vi. <i>[insert other requirements]</i>. <p>The works detailed in the approved conservation management plan must be completed by <i>[specify date or event]</i>, to the satisfaction of the responsible authority.</p> <hr/> <p>Notes: <i>Further information about the preparation of a conservation management plan is provided in <u>Conservation Management Plans: Managing Heritage Plans, A Guide (Heritage Council of Victoria, 2010)</u>.</i></p>

8 Subdivision

<p>SC8.1</p>	<p>Heading: Endorsed subdivision plans – amended plans required</p>
	<p>Condition: Before the plan of subdivision is certified under the <i>Subdivision Act 1988</i>, plans must be approved and endorsed by the responsible authority. The plans must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be drawn to scale with dimensions and submitted in electronic form c) be generally in accordance with the plans forming part of the application, but amended to show the following: <ul style="list-style-type: none"> i. the total number of lots not to exceed <i>[insert number]</i> ii. staging plan iii. all bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements iv. an area set aside as a public open space reserve <i>[describe location]</i> equivalent to <i>[specify number]</i> percent of all land in the subdivision v. other information relevant to the development of the land such as dams, wells, filled land, land subject to inundation, etc. vi. easements in favour of <i>[insert name of council or referral authority]</i> to the satisfaction of the responsible authority vii. <i>[insert other requirements]</i>.
	<p>Notes: <i>Ensure that the changes are:</i></p> <ul style="list-style-type: none"> ▪ <i>specific</i> ▪ <i>unambiguous</i> ▪ <i>specify whether items/design elements/technical details/numbers etc. are to be:</i> <ul style="list-style-type: none"> – <i>altered and if so, how</i> – <i>deleted</i> – <i>added.</i> <p><i>See chapter 4.2</i></p>
<p>SC8.2</p>	<p>Heading: Easements</p>
	<p>Condition: All existing and proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the <i>Subdivision Act 1988</i>.</p>
	<p>Notes:</p>



SC8.3	<p>Heading: Payment in lieu of open space provision under the planning scheme</p> <hr/> <p>Condition: Before a Statement of Compliance for the plan of subdivision is issued under the <i>Subdivision Act 1988</i>, the applicant or owner must pay a monetary contribution for public open space in accordance with the schedule to Clause 53.01 of the planning scheme.</p> <p>The responsible authority may delay the time for payment of the monetary contribution by agreement in writing with the applicant or owner.</p> <p>OR</p> <p>The applicant or owner must make a contribution for public open space in accordance with the schedule to Clause 53.01 of the planning scheme in part by land <i>[insert number]</i> per cent and the balance of <i>[insert number]</i> per cent by monetary contribution.</p> <p>Before the Statement of Compliance is issued under the <i>Subdivision Act 1988</i>, the monetary contribution must be paid.</p> <p>The responsible authority may delay the time for payment of the monetary contribution by agreement in writing with the applicant or owner.</p> <hr/> <p>Notes:</p>
SC8.4	<p>Heading: Payment in lieu of open space provision under the <i>Subdivision Act 1988</i></p> <hr/> <p>Condition: Before the Statement of Compliance is issued under the <i>Subdivision Act 1988</i>, the applicant or owner must pay a monetary contribution for public open space of <i>[insert number]</i> per cent in accordance with a decision of the Council made under section 18 of the <i>Subdivision Act 1988</i>.</p> <p>The responsible authority may delay the time for payment of the monetary contribution by agreement in writing with the applicant or owner</p> <p>OR</p> <p>The applicant or owner must make a contribution for public open space of <i>[insert number]</i> per cent in accordance with a decision of the Council made under section 18 of the <i>Subdivision Act 1988</i> in part by land <i>[insert number]</i> per cent and the balance of <i>[insert number]</i> per cent by monetary contribution.</p> <p>Before the Statement of Compliance is issued under the <i>Subdivision Act 1988</i>, the monetary contribution must be paid.</p> <p>The responsible authority may delay the time for payment of the monetary contribution by agreement in writing with the applicant or owner.</p> <hr/> <p>Notes: <i>Before the statement of compliance is issued under the Subdivision Act 1988, the Council must make a decision under section 18 of that Act. The purpose of this condition is to specify the percentage of</i></p>



	<p><i>public open space required and whether it is to be a monetary contribution or a combination of land and money.</i></p>
SC8.5	Heading: Staged subdivision
	Condition: The subdivision must proceed in the order of stages as shown on the approved and endorsed plan. The responsible authority may consent in writing to vary this requirement.
	Notes:
SC8.6	Heading: Reticulated services
	Condition: The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
	Notes:
SC8.7	Heading: Telecommunications
	Condition: The owner of the land must enter into an agreement with: a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre. Before the issue of a Statement of Compliance for any stage of the subdivision under the <i>Subdivision Act 1988</i> , the owner of the land must provide written confirmation from: a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
	Notes: <i>Mandatory condition required by clause 66.01-1 of the planning scheme.</i>



		<p><i>Always check the clause to confirm that any condition prepared reflects the drafting required by the planning scheme.</i></p> <p><i>See chapter 10.9.1.</i></p>
SC8.8	Heading:	Subdivisions that do not require referral
	Condition:	<p>The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.</p> <p>All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.</p> <p>The plan of subdivision submitted for certification under the <i>Subdivision Act 1988</i> must be referred to the relevant authority in accordance with Section 8 of that Act.</p>
	Notes:	<p><i>Mandatory condition required by clause 66.01-1 of the planning scheme for subdivision permits where referral was not required.</i></p> <p><i>Always check the clause to confirm that any condition prepared reflects the drafting required by the planning scheme.</i></p> <p><i>See chapter 10.9.2.</i></p>
SC8.9	Heading:	Works on or to the land
	Condition:	<p>Before a Statement of Compliance is issued for any stage of the subdivision under the <i>Subdivision Act 1988</i>, the following works must be provided on or to the land to the satisfaction of the responsible authority:</p> <ul style="list-style-type: none"> a) all road and drainage works shown on approved detailed construction plans b) stormwater management system in accordance with approved stormwater management plan c) landscaping in accordance with the landscape plan approved under this permit d) street trees e) street lighting f) fencing on the boundaries of any Council reserve; g) <i>[insert other requirements]</i>. <p>The responsible authority may consent in writing to vary these requirements.</p>
	Notes:	<p><i>Logically this condition should follow all conditions requiring the approval and endorsement of various plans, such as the subdivision plan, landscape plan, detailed construction plans, stormwater management plan, environmental management plan etc.</i></p>



		<p><i>The purpose of this condition is to require when the works in these plans must be carried out by.</i></p> <p><i>See chapter 10.4.</i></p>
SC8.10	Heading:	Detailed construction plans – roads and drains
	Condition:	<p>Before any works associated with the subdivision start, detailed construction plans must be approved and endorsed by the responsible authority. The construction plans must:</p> <ol style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be drawn to scale with dimensions and submitted electronically. c) Include the following: <ol style="list-style-type: none"> i. fully sealed pavement with <i>[insert type]</i> kerb and channel <i>[insert number]</i>, metres back to back ii. concrete footpaths iii. underground drains iv. vehicular crossings to each lot v. <i>[specify other requirements]</i>. d) The responsible authority may consent in writing to vary any of the details of these requirements. e) Any modifications to the detailed construction plans agreed to by the responsible authority must be shown on an amended plan that is endorsed by the responsible authority.
	Notes:	<p><i>Insert details of standards or design details for works as relevant. Where a responsible authority has its own standards (for example, Council standard drawings) that works must comply with, they should be included.</i></p> <p><i>When requirements are complex, it may clearer to split the requirements for roads and drains into separate conditions requiring a road construction plan and a drainage construction plan to be approved and endorsed.</i></p> <p><i>A condition requiring works to be completed on or to the land before a statement of compliance is issued should be consistent with any requirements for detailed construction plans.</i></p> <p><i>Detailed construction plans must be consistent with any stormwater management plan.</i></p>
SC8.11	Heading:	Development infrastructure levy / infrastructure contribution (monetary component)
	Condition:	<p>Before the Statement of Compliance is issued under the <i>Subdivision Act 1988</i>, the applicant must:</p> <ol style="list-style-type: none"> a) pay the amount of the levy required under the <i>[insert name of Development Contributions Plan or Infrastructure Contributions Plan]</i> to <i>[insert name of the relevant collecting agency]</i>; or



	<p>b) enter into an agreement with <i>[insert name of the relevant collecting agency]</i> to pay the amount of the levy within a time specified in the agreement.</p> <p>Notes: <i>This is a mandatory condition required by section 46N(1) of the Act and under clause 45.06 of the Development Contributions Overlay; section 46GV(7) of the Act and under clause 45.10-2 of the Infrastructure Contributions Plan Overlay and clause 45.11-2 of the Infrastructure Contributions Overlay.</i></p> <p><i>A different time for payment of the levy may be specified by the collecting agency. If so, insert the time specified into the condition.</i></p> <p><i>See chapter 10.4</i></p>
<p>SC8.12</p>	<p>Heading: Building envelopes</p> <p>Condition: Before the plan of subdivision is certified under the <i>Subdivision Act 1988</i>, the owner must enter into an agreement with the responsible authority under section 173 of the <i>Planning and Environment Act 1987</i>. The agreement must provide for the following:</p> <ul style="list-style-type: none"> a) on each lot to be created, buildings may be constructed only within the building envelopes as shown on the endorsed plans of this permit b) on each lot to be created, effluent disposal must be confined to the effluent disposal envelopes as shown on the endorsed plans of this permit c) this/these envelope(s) must not be altered without the written consent of the responsible authority. <p>The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.</p> <p>Notes: <i>There is no need to provide for the registration of an agreement. Section 181(1) of the Act provides that a responsible authority must apply to the Registrar of Titles, without delay, to record an agreement relating to land other than Crown land.</i></p> <p><i>See chapter 10.3</i></p>
<p>SC8.13</p>	<p>Heading: Restriction on development</p> <p>Condition: Before a Statement of Compliance for the plan of subdivision is issued under the <i>Subdivision Act 1988</i>, the owner must enter into an agreement with the responsible authority under section 173 of the <i>Planning and Environment Act 1987</i>. The agreement must provide the following:</p> <ul style="list-style-type: none"> a) each lot must only be developed in accordance with the development approved under planning permit <i>[insert permit number]</i> unless otherwise agreed in writing by the responsible authority b) the agreement will cease to apply to any lot 12 months after the issue of an occupancy certificate for the



	<p><i>[dwelling/warehouse/etc – insert relevant type of development]</i> on that lot</p> <p>c) this requirement will not apply to any lot if construction of development under planning permit <i>[insert permit number]</i> on that lot has been completed to the satisfaction of the responsible authority before the statement of compliance is issued.</p> <p>The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.</p>
	<p>Notes: <i>There is no need to provide for the registration of an agreement. Section 181(1) of the Act provides that a responsible authority must apply to the Registrar of Titles, without delay, to record an agreement relating to land other than Crown land.</i></p> <p><i>Any agreement to restrict development should be targeted and apply only until the development is completed rather than applying ad infinitum.</i></p> <p><i>See chapter 10.3</i></p>
SC8.14	<p>Heading: No further subdivision</p> <p>Condition: Before the plan of subdivision is certified under the <i>Subdivision Act 1988</i>, the owner must enter into an agreement with the responsible authority under section 173 of the <i>Planning and Environment Act 1987</i>. The agreement must provide that the land will not be further subdivided.</p> <p>The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.</p>
	<p>Notes: <i>See chapter 10.3</i></p>
SC8.15	<p>Heading Bushfire management – subdivision</p> <p>Condition: Before the Statement of Compliance is issued under the <i>Subdivision Act 1988</i> the owner must enter into an agreement with the responsible authority under Section 173 of the <i>Planning and Environment Act 1987</i>. The agreement must:</p> <p>a) state that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the <i>[insert name of applicable planning scheme]</i> Planning Scheme</p> <p>b) incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit</p> <p>c) state that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.</p>



The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Notes:

Mandatory condition required by clause 44.06-5 of the planning scheme – Bushfire Management Overlay.

Always check the clause to confirm that any condition prepared reflects the drafting required by the planning scheme.

See chapter 10.6

9 Signs

ASC9.1	Heading:	Signs not to be altered
	Condition:	The location and details of the sign(s), and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.
	Notes:	<i>See chapters 4.2 and 9.4</i>
ASC9.2	Heading:	No moving or flashing light
	Condition:	The sign(s) must not be animated or contain any flashing or intermittent light.
	Notes:	
ASC9.3	Heading:	No illumination
	Condition:	The sign(s) must not be illuminated by external or internal light. The responsible authority may consent in writing to vary this requirement.
	Notes:	<i>See chapters 4.2 and 9.4</i>
ASC9.4	Heading:	Light emissions
	Condition:	The sign lighting must be designed, baffled and located to prevent any adverse effect of light spill on adjoining land to the satisfaction of the responsible authority.
	Notes:	
ASC9.5	Heading:	Illumination during specified hours
	Condition:	The sign(s) must only be illuminated during the following hours: a) between the hours of <i>[specify hours]</i> b) during opening hours of the business. The responsible authority may consent in writing to vary these requirements.
	Notes:	<i>See chapters 4.2 and 9.4</i>
ASC9.6	Heading:	Sign maintenance
	Condition:	The sign(s), including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority.
	Notes:	
ASC9.7	Heading:	Removal of existing signs
	Condition:	Before the sign(s) <i>is/are</i> constructed or put up for display, the following existing signs must be removed to the satisfaction of the responsible authority:



		a) <i>[specify signs]</i>
	Notes:	
ASC9.8	Heading:	Expiry - Signs
	Condition:	<p>This permit as it relates to a sign(s) will expire 15 years <i>[or specify alternative period]</i> from the issued date of this permit.</p> <p>On expiry of the permit, the sign and structures built specifically to support and illuminate it must be removed.</p> <p>In accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.</p>
	Notes:	<p><i>Include in all permits for all signs.</i></p> <p><i>Mandatory condition required by clause 52.05-9.</i></p> <p><i>Under clause 52.05-9 a permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued.</i></p>
ASC9.9	Heading:	Major promotion sign
	Condition:	<p>The sign must not:</p> <ul style="list-style-type: none"> a) dazzle or distract drivers due to its colouring. b) be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles. c) be able to be mistaken as an instruction to drivers.
	Notes:	<p><i>Include in all permits for a major promotion sign.</i></p> <p><i>Mandatory condition required by clause 52.05-9.</i></p>

10 Environment

EC10.1	Heading: Environmental management plan - construction
	Condition: Before the development or any site works (including demolition and excavation) start, an environmental management plan must be approved and endorsed by the responsible authority. The environmental management plan must: <ol style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be submitted in electronic form c) be prepared in accordance with the <i>Civil construction building and demolition guide, Publication 1834</i> (EPA, 2020) d) adopt the form of the EMP template included in the EPA guide and must address the following risks: <ol style="list-style-type: none"> i. noise and vibration ii. erosion, sediment and dust iii. contaminated land and groundwater iv. chemicals v. waste vi. <i>[insert other risks]</i> e) the working hours schedule for construction, building and demolition noise in the EPA guide must be replaced in the plan by the following hours: <ol style="list-style-type: none"> i. <i>[insert hours]</i> f) <i>include a traffic management plan showing:</i> <ol style="list-style-type: none"> i. <i>access routes for construction vehicles</i> ii. <i>swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction</i> iii. <i>proposed parking locations for construction vehicles and construction workers' vehicles</i> iv. <i>any impacts upon adjacent roads and pedestrian walkways and provision for adequate movement and circulation of vehicles and pedestrians adjacent to the land during the construction phase</i> v. <i>[insert other requirements for traffic management plan]</i> g) <i>[insert other requirements for inclusion in the EMP].</i> <p>The responsible authority may consent in writing to vary any details in the environmental management plan.</p>
	Notes: See chapter 10.5.1
EC10.2	Heading: Integrated land management plan

- Condition:** Before the *[insert development, or use, or use and development and use as appropriate]* starts, an integrated land management plan for the management and operation of the land must be approved and endorsed by the responsible authority. The land management plan must:
- a) be prepared to the satisfaction of the responsible authority
 - b) be prepared by a suitably qualified person *[or insert details of qualifications or experience, if relevant]*
 - c) be submitted in electronic form
 - d) include the following details:
 - i. overall environmental objectives for management of the land and techniques to achieve these objectives
 - ii. techniques to protect and enhance the biodiversity of the land, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
 - iii. methods for the control and eradication of weeds
 - iv. methods for the control of pest animals
 - v. the use of fencing which is permeable for native fauna
 - vi. re-vegetation of the site using native and indigenous species
 - vii. improving the condition of waterway frontages with vegetation
 - viii. preventing stock access to waterways
 - ix. maintaining onsite wastewater treatment systems such as septic tanks
 - x. preventing soil erosion
 - xi. using and managing nutrients wisely
 - xii. improving agricultural chemical use
 - xiii. practices and procedures to ensure that no significant adverse environmental impacts occur as a result of the use
 - xiv. proposed monitoring systems
 - xv. identification of possible risks of operational failure and response measures to be implemented
 - xvi. day to day management requirements for the use
 - xvii. an implementation and staging plan
 - xviii. *[insert other requirements]*
 - e) be reviewed annually *[or insert alternative period]* and updated to the satisfaction of the responsible authority and any updated plans must be submitted to the responsible authority.

The responsible authority may consent in writing to vary any details in the integrated land management plan.




	Notes:	<i>See chapter 10.5.2</i>
EC10.3	Heading:	Stormwater management plan
	Condition:	<p>Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must:</p> <ol style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be submitted in electronic form c) include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system d) set out how the stormwater management system will be managed on an ongoing basis e) demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations f) be generally in accordance with the plan <i>[or insert specific name of plan or document and date or revision number]</i> forming part of the application, but amended to show the following details: <ol style="list-style-type: none"> i. <i>[insert required details]</i>.
	Notes:	<i>Ensure that the changes are specific and unambiguous. See chapter 10.5.3.</i>
EC10.4	Heading:	Stormwater management system – implementation and management
	Condition:	<p>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.</p> <p>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.</p>
	Notes:	<i>See chapter 10.5.3.</i>
EC10.5	Heading:	Run-off control
	Condition:	Polluted and/or sediment laden run-off must not be discharged directly or indirectly into (<i>specify authority</i>) drains or watercourses.
	Notes:	
EC10.6	Heading:	Onsite disposal of wastewater
	Condition:	Before the development is occupied, an approved onsite wastewater management system must be installed to treat all wastewater generated from the use of the development.



	<p>All treated wastewater must be disposed of within the curtilage of the property.</p> <p>All wastewater must be managed in accordance with part 5.7 of the <i>Environment Protection Regulations 2021</i> to minimise the risk of harm to the environment and human health.</p>
	Notes:
EC10.7	<p>Heading: Watercourse crossings</p> <p>Condition: Where a road or other accessway crosses <i>[(a) drainage line(s) and/or (a) watercourse(s) (identified on the endorsed plans) – insert as relevant]</i>, a piped crossing or other suitable bridging structure must be constructed to the satisfaction of the responsible authority.</p>
	Notes:
EC10.8	<p>Heading: Ongoing soil erosion control</p> <p>Condition: All works must be undertaken in a manner that minimises soil erosion to greatest extent practicable, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.</p>
	Notes:
EC10.9	<p>Heading: Batters</p> <p>Condition: The slope of batters, both cut and fill, must not exceed <i>[specify grade]</i> (horizontal:vertical).</p> <p>The responsible authority may consent in writing to vary the slope of any batter if the batter is stabilised by other means to the satisfaction of the responsible authority.</p>
	Notes:
EC10.10	<p>Heading: Top soil retention</p> <p>Condition: All topsoil to a depth of <i>[specify number]</i> metres removed during the earthworks must be stockpiled, maintained in a weed-free condition, respread on disturbed ground after completion of the earthworks and revegetated to prevent erosion, all to the satisfaction of the responsible authority.</p>
	Notes:
EC10.11	<p>Heading: Environmental weeds</p> <p>Condition: No environmental weeds referred to in <i>[specify municipal, Department or authority list]</i> may be planted on or allowed to invade the site.</p>
	Notes:
EC10.12	<p>Heading: Pest animals</p>



	<p>Condition: Vermin and pest animals must be controlled to the satisfaction of the responsible authority.</p> <p>Notes:</p>
EC10.13	<p>Heading: Bushfire management – buildings and works in a Bushfire Management Overlay</p> <p>Condition: The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.</p> <p>Notes: <i>Include in all permits for buildings and works in a Bushfire Management Overlay.</i> <i>Mandatory condition required by clause 44.06-5 of the planning scheme – Bushfire Management Overlay</i> <i>See chapter 10.6</i></p>
EC10.14	<p>Heading: Bushfire management – dwellings in a Bushfire Management Overlay</p> <p>Condition: Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the <i>Planning and Environment Act 1987</i> to provide for the following:</p> <p>a) A dwelling constructed in accordance with planning permit <i>[insert planning permit reference]</i> must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:</p> <ol style="list-style-type: none">i. constructed on the same land as the dwellingii. available for use by the occupants of the dwelling at all timesiii. maintained in accordance with the requirements of the building permit issued for that private bushfire shelter. <p>The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.</p> <p>Notes: <i>Include in any permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3.</i> <i>Mandatory condition required by clause 44.06-5 of the planning scheme – Bushfire Management Overlay</i> <i>See chapter 10.6</i></p>
EC10.15	<p>Heading: Whole farm plan</p> <p>Condition: Before the development, including any earthworks, start, a whole farm plan must be approved and endorsed by the responsible authority. The whole farm plan must:</p>

- 
- a) be prepared to the satisfaction of the responsible authority
 - b) be submitted in electronic form.
 - c) include the following:
 - i. site shape, size, dimensions and orientation
 - ii. levels and contours of the site
 - iii. natural features including trees and significant vegetation, drainage lines, the location of any flooding overlay, waterways, wetlands, ridgelines and hill tops
 - iv. the siting and use of existing buildings and structures including farm and water authority channels, drains, laneways and fences
 - v. easements
 - vi. any identified natural or cultural features of the site
 - vii. soil types for the property
 - viii. supply level in the water authority channel, outlet location and details (including the outlet number) so as to determine water level and flow fate available
 - d) include the following details in relation to the proposed works:
 - i. Irrigation bay dimensions
 - ii. farm channel details
 - iii. farm drain details
 - iv. laneway details
 - v. reuse system
 - vi. drainage outfall details
 - vii. surface drainage diversion systems
 - viii. groundwater pump details
 - ix. dairy effluent disposal
 - x. *[insert other relevant requirements]*.

The responsible authority may consent in writing to vary any details in the whole farm plan.

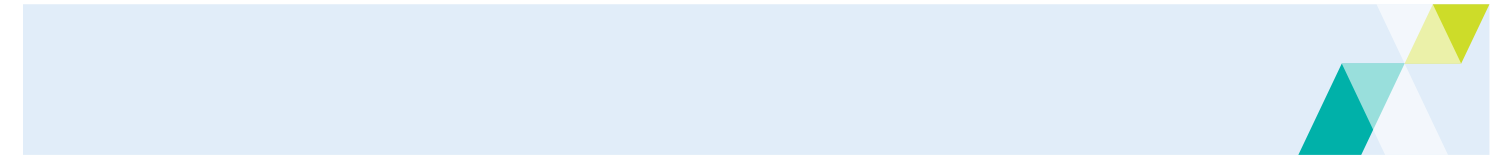
Notes: See chapter 10.5.4

11 All vegetation types

VC11.1	Heading:	Notification of permit conditions
	Condition:	Before <i>[insert works OR vegetation removal OR vegetation lopping, as appropriate]</i> starts, the permit holder must advise all persons undertaking the vegetation removal, development or works on site of all relevant permit conditions and associated statutory requirements or approvals.
	Notes:	
VC11.2	Heading:	Minimising removal
	Condition:	The removal of vegetation must only be to the minimum extent necessary to provide for <i>[insert the construction of roads/services/fences/essential firefighting protection works/etc]</i> to the satisfaction of the responsible authority upon the advice of the <i>[specify authority]</i> .
	Notes:	<i>This condition may be applied when no direct permission is required for vegetation removal.</i>
VC11.3	Heading:	Avoiding damage during vegetation removal
	Condition:	Vegetation removal and disposal must not cause damage to vegetation stands to be retained or to drainage lines or watercourses to the satisfaction of the responsible authority.
	Notes:	
VC11.4	Heading:	Vegetation management plan
	Condition:	<p>Before the development starts, a vegetation management plan must be approved and endorsed by the responsible authority. The vegetation management plan must:</p> <ol style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be prepared by a suitably qualified person c) be submitted to the responsible authority in electronic form d) include the following: <ol style="list-style-type: none"> i. measures that must be incorporated into the design and construction of the development to ensure the protection of any trees identified for retention, determined in accordance with <i>Australian Standard AS4970-2009 - Protection of Trees on Development Sites</i> ii. the location of tree protection zones (TPZ) and tree protection fencing for trees identified for retention on a plan that is drawn to scale with dimensions iii. <i>[insert other requirements]</i>.
	Notes:	<i>See chapter 10.8.2.</i>



VC11.5	Heading:	Erection of tree protection fencing in accordance with vegetation management plan
	Condition:	Before the development starts, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved vegetation management plan and <i>Australian Standard AS4970-2009 - Protection of Trees on Development Sites</i> , to the satisfaction of the responsible authority.
	Notes:	
VC11.6	Heading:	Maintenance of tree protection fencing and exclusion of activities within fencing
	Condition:	At all times during the carrying out of the development: <ul style="list-style-type: none"> a) the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and <i>Australian Standard AS4970-2009 - Protection of Trees on Development Sites</i> to the satisfaction of the responsible authority b) development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing to the satisfaction of the responsible authority. The responsible authority may consent in writing to the variation of these requirements.
	Notes:	
VC11.7	Heading:	Tree hollows
	Condition:	Any pruning or removal of tree limbs, particularly hollow-bearing tree limbs, must be to the minimum extent necessary to the satisfaction of the responsible authority.
	Notes:	
VC11.8	Heading:	Enhancing ground habitat
	Condition:	Felled timber containing hollows or dead timber must be retained and located on-site to the satisfaction of the responsible authority. The responsible authority may consent in writing to vary this requirement.
	Notes:	
VC11.9	Heading:	Weed control
	Condition:	All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site



to prevent the spread of weeds and pathogens to the satisfaction of the responsible authority.

Notes:

12 Native vegetation

NVC12.1	<p>Heading: Notification of permit conditions</p> <p>Condition: Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.</p> <p>Notes:</p>
NVC12.2	<p>Heading: Construction management</p> <p>Condition: Before any works and native vegetation removal starts, <i>[amended]</i> plans must be submitted to and approved by the <i>[insert]</i>. The plans must:</p> <ul style="list-style-type: none"> a) be prepared to the satisfaction of the responsible authority b) be submitted in electronic form c) include the following <i>[Delete or amend the following as required]</i>: <ul style="list-style-type: none"> i. a detailed description of the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the <i>[insert]</i>, including the tree protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the <i>[insert]</i> ii. an amended site plan, drawn to scale with dimensions and georeferenced (such as VicGrid94 co-ordinates), that clearly shows: <ul style="list-style-type: none"> ▪ the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land ▪ the location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit ▪ <i>[any other information required to ensure provision of a plan that can be endorsed]</i>. <p>Notes: <i>Use this condition when an endorsed plan for the removal of native vegetation is required – particularly relevant where plans submitted do not have sufficient detail to enable compliance auditing.</i></p>
NVC12.3	<p>Heading: Protection of vegetation to be retained</p>



	<p>Notes: <i>Select one of the following conditions based on the site condition and proposed works:</i></p> <ul style="list-style-type: none"> ▪ <i>C.1 used when a plan must be prepared OR</i> ▪ <i>C.2 specifies requirements for patches of native vegetation OR</i> ▪ <i>C.3 specifies requirements for scattered trees OR</i> ▪ <i>C.4 specifies requirements for a combination of patches of native vegetation and scattered trees.</i>
NVC12.4	<p>Heading: C.1 - Protection of vegetation to be retained</p>
	<p>Condition: Before works start, a plan identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be approved and endorsed by the responsible authority.</p>
	<p>Notes:</p>
NVC12.5	<p>Heading: C.2 – Protection of patches of native vegetation to be retained</p>
	<p>Condition: Before works start, a native vegetation protection fence must be erected around all patches of native vegetation of native vegetation to be retained on site. This fence must be erected around the patch of native vegetation at a distance of <i>[number]</i> metres from retained native vegetation. The protection fence must be constructed of <i>[star pickets/ chain mesh/or similar]</i> to the satisfaction of the <i>[insert]</i>. The protection fence must remain in place until all works are completed to the satisfaction of the <i>[insert]</i>.</p> <p>Within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:</p> <ol style="list-style-type: none"> a) vehicular or pedestrian access b) trenching or soil excavation c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products d) entry and exit pits for underground services e) any other actions or activities that may result in adverse impacts to retained native vegetation. <p>The responsible authority may consent in writing to vary these requirements.</p>
	<p>Notes: <i>See also conditions V11.4 to VC11.6, which also provide for the protection of vegetation through a vegetation management plan and tree protection fencing to protect individual trees.</i></p>
NVC12.6	<p>Heading: C.3 – Protection of scattered trees to be retained</p>
	<p>Condition: Before works start, a native vegetation protection fence must be erected around all scattered trees to be retained on site. This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of 12 x the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from</p>



		<p>the base of the trunk of the tree. The fence must be constructed of <i>[insert star pickets/ chain mesh/ or similar]</i> to the satisfaction of the <i>[insert]</i>. The fence must remain in place until all works are completed to the satisfaction of the <i>[insert]</i>.</p> <p>Within the tree protection zone, the following are prohibited:</p> <ol style="list-style-type: none"> vehicular or pedestrian access trenching or soil excavation storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products entry and exit pits for underground services any other actions or activities that may result in adverse impacts to retained native vegetation. <p>The responsible authority may consent in writing to vary these requirements.</p>
	Notes:	
NVC12.7	Heading:	C.4 – Protection of patches of native vegetation and scattered trees
	Condition:	<p>Before works start, a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site. This fence must be erected around the patch of native vegetation at a minimum distance of <i>[number]</i> metres from retained native vegetation and/or at a radius of 12 x the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of tree. The fence must be constructed of <i>[star pickets/chain mesh/or similar]</i> to the satisfaction of the <i>[insert]</i>. The fence must remain in place until all works are completed to the satisfaction of the <i>[insert]</i>.</p> <p>Within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:</p> <ol style="list-style-type: none"> vehicular or pedestrian access trenching or soil excavation storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products entry and exit pits for underground services any other actions or activities that may result in adverse impacts to retained native vegetation. <p>The responsible authority may consent in writing to vary these requirements.</p>
	Notes:	
NVC12.8	Heading:	Native vegetation offsets
	Notes:	<i>Any approval to remove native vegetation must contain conditions specifying the offset requirements. Permit conditions must include a</i>



	<p>requirement for evidence of the secured offset to be provided to the responsible authority and that the offset be secured prior to native vegetation removal and to the satisfaction of the responsible authority (refer section 8 of the Guidelines).</p> <p>Offset requirements are determined by Department of Energy, Environment and Climate Action tools and included in the Native Vegetation Removal Report. Select from the conditions below as relevant (G.1, G.2, G.3).</p> <p>The extent of native vegetation removal authorised must be defined in a permit condition. It may be agreed for some projects that offsets are secured in stages to allow for offset reconciliation – if this occurs the permit condition will have to be amended at completion of project and offset reconciliation, or a condition can be drafted to allow for this to be done.</p>
NVC12.9	<p>Heading: G.1 - Offset requirement</p> <p>Condition: To offset the removal of <i>[insert number]</i> hectares of native vegetation, as identified in Native Vegetation Removal Report <i>[insert NVR ID]</i>, the permit holder must secure a native vegetation offset, in accordance with the <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (DELWP 2017) as specified below:</p> <p>General offset</p> <p>A general offset of <i>[insert number]</i> general habitat units:</p> <ol style="list-style-type: none"> located within the <i>[insert name of Catchment Management Authority]</i> boundary or <i>[insert name of municipality]</i> municipal district with a minimum strategic biodiversity score of at least <i>[insert amount from NVR report]</i> <p>Species offset</p> <p><i>[add/delete depending on number of species impacted]</i></p> <p>A species offset(s) of:</p> <ol style="list-style-type: none"> <i>[XXX]</i> species habitat units for <i>[ID, common name, genus species A]</i> <i>[XXX]</i> species habitat units for <i>[ID, common name, genus species B]</i> <i>[insert all required species offsets]</i>. <p><i>If the NVR report specifies a requirement to protect large trees, add this to the offset requirement</i></p> <p>The offset(s) secured must provide protection of at least <i>[insert number from NVR report]</i> large trees.</p> <p>Notes: <i>Select General offset, Species offset or both as detailed in the NVR report. Large tree requirement can be met across any offset type</i></p>
NVC12.10	<p>Heading: G.2 – Offset evidence and timing</p> <p>Condition: <i>[Before any native vegetation is removed/ Prior to the issue of the Statement of Compliance]</i>, evidence that the required offset <i>[for the</i></p>



	<p>project/for each stage] has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:</p> <ul style="list-style-type: none"> a) credit extract(s) allocated to the permit from the Native Vegetation Credit Register and/or b) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site. <p>A copy of the offset evidence must be endorsed by the responsible authority and will form part of this permit.</p> <p><i>[Optional text:]</i> At the conclusion of the project, offset requirements can be reconciled with agreement by the <i>[responsible authority and referral authority]</i></p>
	<p>Notes: <i>The Guidelines require that a compliant offset be secured, to the satisfaction of the responsible or referral authority, before the native vegetation is removed. This can be a signed security agreement for an offset site that includes an onsite management plan OR evidence of a third party offset. Security agreement requirements are specified in the Native vegetation gain scoring manual, version 2 (DELWP, 2017).</i></p> <p><i>It may be agreed for some projects that offsets are secured in stages to enable offset reconciliation – this can be provided for in this condition.</i></p>
NVC12.11	<p>Heading: G.3 – Monitoring and reporting for onsite offset implementation</p>
	<p>Condition: In the event that a security agreement is entered into as per condition <i>[insert relevant #]</i>, the applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.</p>
	<p>Notes:</p>
NVC12.12	<p>Heading: Offset requirements for timber harvesting</p>
	<p>Condition: The timber harvesting operation must comply fully with the requirements and specifications of the Property Vegetation Plan: Native Forest Timber Harvesting [add any sub title here].</p>
	<p>Notes: <i>Alternative offset arrangements for native forest timber harvesting are specified in section 11.4 of the Guidelines. Include this condition on any permit for native forest timber harvesting.</i></p>
NVC12.13	<p>Heading: Expiry of permit for removing native vegetation in accordance with an approved property vegetation plan</p>
	<p>Condition: This permit will expire if one of the following circumstances applies:</p>



- a) the removal, destruction or lopping of native vegetation does not start within two years of the date of this permit
- b) the removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.

Notes: *Include in all permits for removing native vegetation in accordance with an approved property vegetation plan.
This is a mandatory condition required by clause 52.17-3.*