

Notice of an Application for an Amendment to a Planning Permit

The land affected by the application is located at:	L2 PS727458 770 Five Mile Road, Nar Nar Goon VIC 3812
The application is to:	Amendment to Planning Permit T170760 (that allows the use of the land and earthworks associated with the disposal of clean fill) to amend the endorsed plans and conditions of permit

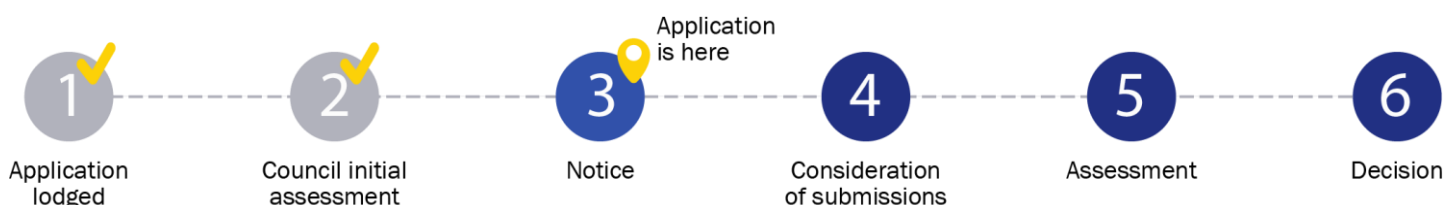
APPLICATION DETAILS

The applicant for the amendment to the permit is:	Taylor's Development Strategists
Application number:	T170760 – 1
<p>You may look at the application and any documents that support the application at the office of the Responsible Authority: Cardinia Shire Council, 20 Siding Avenue, Officer 3809. This can be done during office hours and is free of charge. Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.</p>	




HOW CAN I MAKE A SUBMISSION?


This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:		28 October 2025
WHAT ARE MY OPTIONS? Any person who may be affected by the proposed amendment to permit may object or make other submissions to the responsible authority. If you object, the Responsible Authority will notify you of the decision when it is issued.	An objection must: <ul style="list-style-type: none">• be made to the Responsible Authority in writing;• include the reasons for the objection; and• state how the objector would be affected.	The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.



Application to AMEND a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

 Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

 This form cannot be used to:

- amend a permit or part of a permit if the Victorian Civil and Administrative Tribunal (VCAT) has directed under section 85 of the Act that the responsible authority must not amend that permit or that part of the permit (as the case requires); or
- amend a permit issued by the Minister under Division 6 of Part 4 of the Act (these applications must be made to the Minister under section 97I of the Act).

 Questions marked with an asterisk (*) must be completed.

 Click for further information.

Clear Form

The Land


Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 770	St. Name: Five Mile Road
Suburb/Locality: Nar Nar Goon		Postcode: 3812

Formal Land Description *

Complete either A or B.

 This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.


A	Lot No.: 2	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: 727458W
OR					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

Planning Permit Details

What permit is being amended?*

Planning Permit No.: T170760


The Amended Proposal

 You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application

What is the amendment being applied for?*

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet.

This application seeks to amend:	
<input checked="" type="checkbox"/> What the permit allows	<input checked="" type="checkbox"/> Plans endorsed under the permit
<input type="checkbox"/> Current conditions of the permit	<input type="checkbox"/> Other documents endorsed under the permit
Details: Please refer to the attached cover letter which provides details of all amendments proposed	
<div>This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</div>	
 Provide plans clearly identifying all proposed changes to the endorsed plans, together with: any information required by the planning scheme, requested by Council or outlined in a Council checklist; and if required, include a description of the likely effect of the proposal.	

Development Cost

Estimate cost of development*

If the permit allows **development**, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit.

Cost of proposed amended development:

\$ 100,000


Cost of the permitted development:

\$ 100,000

Cost difference (+ or -):

= \$ 0

Insert 'NA' if no development is proposed by the permit.

 You may be required to verify this estimate.

Existing Conditions


Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Have the conditions of the land changed since the time of the original permit application? ☒ Yes ☐ No

If yes, please provide details of the existing conditions.

Since the permit was issued, which allowed for earthworks, this permit has been acted on and therefore earthworks are ongoing on site


 Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are also helpful.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☐ Yes (If 'yes' contact council for advice on how to proceed before continuing with this application.)
- ☐ No
- ☒ Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

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Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Contact information for applicant OR contact person below

Business phone: 9501 2800

Mobile phone:

Fax:

Contact person's details*

Name:

Same as applicant ☐

Title: Mr

Organisation (if applicable): Taylors Development Strategists

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.: 8

St. No.: 270

St. Name: Ferntree Gully Road

Suburb/Locality: Notting Hill

State: VIC

Postcode: 3168

Name:

Same as applicant ☐

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day / month / year

Declaration

This form must be signed by the applicant*



Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; that all the information in this application is true and correct; that all changes to the permit and plan have been listed as part of the amended proposal and that the owner (if not myself) has been notified of the permit application.

Signature

Date: 22/05/2025

day / month / year

Need help with the Application?

If you need help to complete this form, read More Information at the end of this form or contact Council's planning department. General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer

☒ No ☐ Yes

If 'Yes', with whom?:

Date:

day / month / year

Checklist

Have you:

- ☐ Filled in the form completely?
- ☐ Paid or included the application fee?
- ☐ Attached all necessary supporting information and documents?
- ☐ Completed the relevant council planning permit checklist?
- ☐ Signed the declaration above?



Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Lodgement

Lodge the completed and signed form and all documents with:

Cardinia Shire Council
PO Box 7
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Contact information:

Telephone: 1300 787 624

Fax: (03) 5941 3784

Email: mail@cardinia.vic.gov.au

DX: 81006

Deliver application in person, by post or by electronic lodgement.

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Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

PERMIT APPLICATION DETAILS

Application No.:	T170760 - 1APP
Address of the Land:	770 Five Mile Road, Nar Nar Goon

APPLICANT DETAILS

Name:	
Organisation:	
Address:	8/270 Ferntree Gully Road, Notting Hill
Phone:	9501 2800
Email:	

AMENDMENT TYPE

Under which section of the Act is this amendment being made? (select one)	
Section 50 – Amendment to application at request of applicant before notice:	<input checked="" type="checkbox"/>
Section 50A – Amendment to application at request of responsible authority before notice:	<input type="checkbox"/>
Section 57A – Amendment to application after notice is given:	<input type="checkbox"/>

AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input checked="" type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Updated Landscape and Site Plan in response to Councils RFI and request to amend Conditions 1a and 4 of the Planning Permit.		
Please refer to the Covering Letter prepared by Taylors for more detail.		

Specify the estimated cost of any development for which the permit is required:		
Not applicable <input checked="" type="checkbox"/>	Unchanged <input type="checkbox"/>	New amount \$

DECLARATION

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.		
Name:		
Signature:		
Date:	17/03/2023	

LODGEMENT

<p>Please submit this form, including all amended plans/documents, to mail@cardinia.vic.gov.au</p> <p>You can also make amendments to your application via the Cardinia ePlanning Portal at https://eplanning.cardinia.vic.gov.au/</p> <p>If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.</p>
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IMPORTANT INFORMATION

<p>It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.</p> <p>Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.</p> <p>No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the <i>Planning and Environment (Fees) Regulations 2016</i> for more information.</p> <p>The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.</p> <p>Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.</p> <p>Any material submitted with this request, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the <i>Planning and Environment Act 1987</i>.</p>
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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 11837 FOLIO 486

Security no : 124124591957N
Produced 20/05/2025 10:37 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 727458W.

PARENT TITLES :

Volume 09800 Folio 699 Volume 10182 Folio 517

Created by instrument PS727458W 28/11/2016

REGISTERED PROPRIETOR

PS727458W 28/11/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE553250J 18/08/2006
ST. GEORGE BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS727458W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 770 FIVE MILE ROAD NAR NAR GOON VIC 3812


ADMINISTRATIVE NOTICES

NIL

eCT Control 13611U ST GEORGE BANK
Effective from 28/11/2016

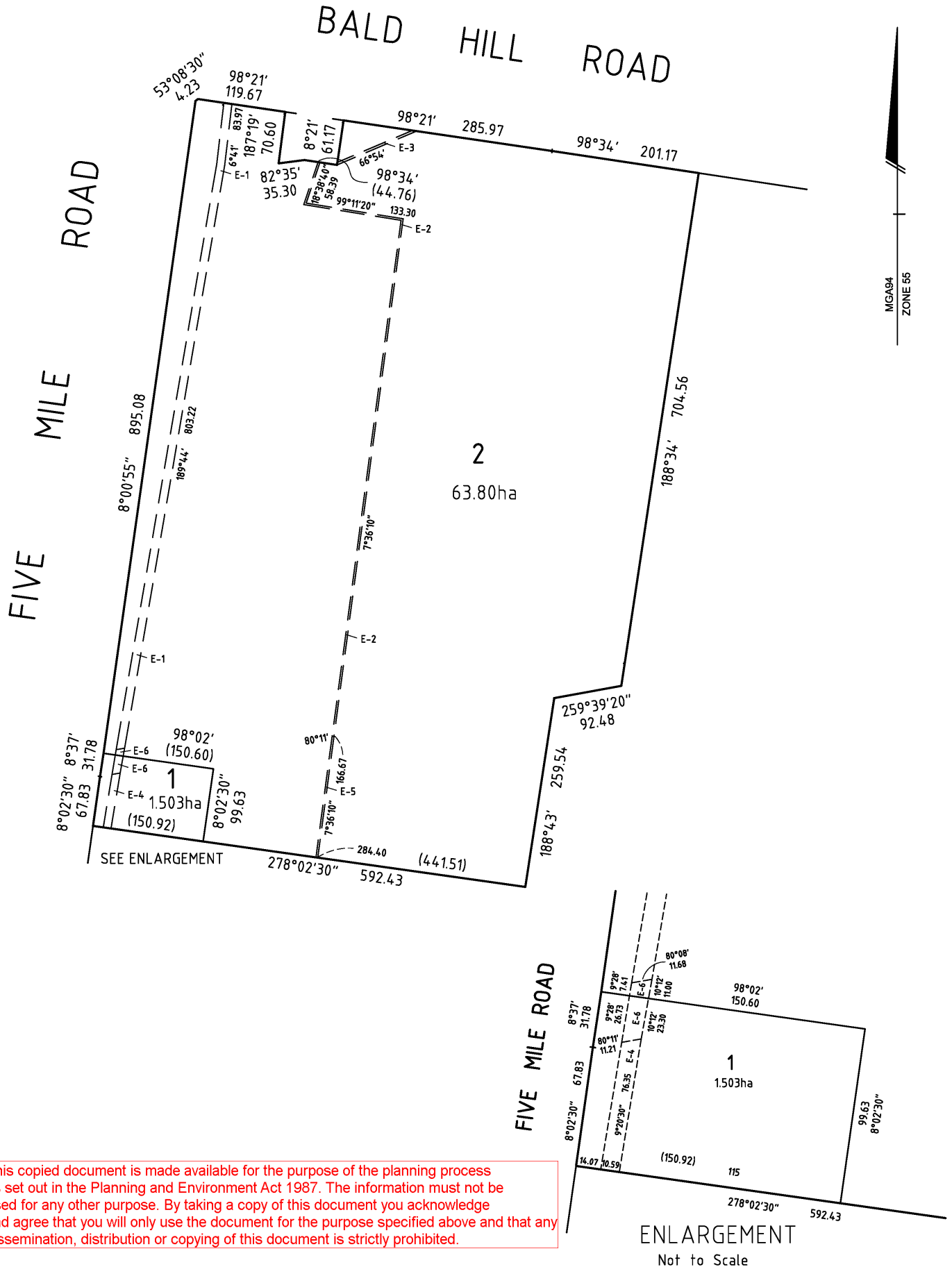
DOCUMENT END

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PLAN OF SUBDIVISION			EDITION 1	PS 727458 W
LOCATION OF LAND PARISH: Nar Nar Goon TOWNSHIP: --- SECTION: --- CROWN ALLOTMENT: 74D (Part), 76A (Part), & 76A1 CROWN PORTION: --- TITLE REFERENCE: Vol. 10182 Fol. 517 & Vol. 9800 Fol. 699 LAST PLAN REFERENCE: Lot 2 on PS 322639 A & CP 166802 POSTAL ADDRESS: 770 Five Mile Road, PAKENHAM 3810 (at time of subdivision) MGA CO-ORDINATES: E: 372 700 ZONE: 55 (of approx centre of land N: 5 782 000 GDA 94 in plan)			Council Name: Cardinia Shire Council Council Reference Number: S15/157 Planning Permit Reference: T140281 SPEAR Reference Number: S074033A Certification This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 21/01/2016 Statement of Compliance This is a statement of compliance issued under section 21 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 Has not been made at Certification Digitally signed by: Sonia Higgins for Cardinia Shire Council on 12/09/2016	
VESTING OF ROADS AND/OR RESERVES			NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON		This is a Spear Plan	
Nil	Nil			
NOTATIONS				
DEPTH LIMITATION: 15.24m below the surface for C.A. 74D SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). 17, 18, 52 & 138. In Proclaimed Survey Area No. 71.				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Powerline	11	PS 322639 A & Sec. 103B of the SEC Act 1958	S.E.C.V.
E-2	Water Supply	2.50	PS 322639 A	Melbourne Water
E-3	Drainage	3	PS 322639 A	Lot 1 on PS 322639 A
E-4	Transmission of Electricity	10.59	Crown Gr. V. 8504 F. 909	S.E.C.V.
E-5	Water Supply	2.50	C/E U385593X	C/T Vol. 9792 Fol. 912
E-6	Powerline	10.59	This Plan & Sec. 103B of the SEC Act 1958	Ausnet Electricity Service Pty Ltd
NOBELIUS LAND SURVEYORS  P.O. BOX 461 PAKENHAM 3810 Ph 03 5941 4112 mail@nobelius.com.au		SURVEYORS FILE REF: 4898 Digitally signed by: Robin Peter Nobelius (Nobelius Land Surveyors Pty Ltd), Surveyor's Plan Version (Version D), 01/09/2016 Amended: 21/11/2016		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 3 PLAN REGISTERED TIME: 9:51 DATE: 28/11/16 Randall McDonald Assistant Registrar of Titles

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PS 727458 W



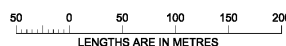
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NOBELIUS LAND SURVEYORS



P.O. BOX 461
PAKENHAM 3810
Ph 03 5941 4112
mail@nobelius.com.au

SCALE
1:5000



Digitally signed by: Robin Peter Nobeli (Nobeli Land Surveyors Pty Ltd),
Surveyor's Plan Version (Version D),
01/09/2016 Amended: 21/11/2016

ORIGINAL SHEET
SIZE: A3

SHEET 2

Digitally signed by:
Cardinia Shire Council,
12/09/2016,
SPEAR Ref: S074033A

SHEET 3

Our Ref: 21181/P
770 Five Mile Road, Nar Nar Goon

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25 August 2025

770 FIVE MILE ROAD, NAR NAR GOON
Planning Permit Application T170760 – 1 APP
Response to Councils Request for Further Information

We confirm we continue to act on behalf of URM Australia in relation to the above and Planning Permit Application T170760 – 1APP ('the Application').

We write in response to Cardinia Shire Council's ('Council's') correspondence dated 20 June 2025 requesting further information pursuant to Section 54 of the *Planning and Environment Act 1987* ('the Act').

This response addresses the matters raised in the request for further information and is accompanied by updated application material for the proposed development. To assist Council's consideration, please find herewith the following documentation in support of the application:

- Updated Landscape Plan prepared by Taylors
- Updated Bulk Earthworks Plan prepared by Taylors

We request that this information replace corresponding information lodged with the application pursuant to Section 50 of the Act and that this forms the basis of any decision on the application.

Item	Request	Comments
1	PLANNING PERMIT CONDITIONS <i>Please provide a list of any conditions proposed to be amended, deleted or included on the Permit along with written justification to support any respective changes. Proposed wording should be provided for any condition to be amended or included.</i>	<p>We would like to delete/amend the following conditions:</p> <p><u>Condition 1a)</u> As we are proposing to amend the staging plan, we respectfully request that this Condition be deleted.</p> <p><u>Condition 4</u> As temporary fill is to be placed beyond the endorsed plans, we respectfully request that this condition be amended to state:</p>

Item	Request	Comments
		<p><i>'No fill is to be placed beyond the areas as shown on the endorsed plans and fill and associated access roads/tracks must not be placed outside the fill areas, except for the temporary fill approved under this permit and identified within the endorsed plans'</i></p>
2	<p>ADDITIONAL FILL</p> <p><i>It has been noted that an existing dam shown to be retained has since been backfilled and now removed from plans. Please specify the volume of fill used and any additional fill proposed to be imported to the subject site as part of the amendment.</i></p>	<p>We have utilised previous surveys undertaken at the site to estimate that the total amount of additional fill used to fill in the dam was approximately 950 cubic metres. We therefore have updated the plans to represent the additional 950 cubic metres of fill. It is noted that the application has approval for approximately 216,000 cubic metres of fill, therefore an additional 950 cubic metres or 0.44% does not make a discernible difference.</p>
3	<p>WORKS STATUS</p> <p><i>A statement or plan that highlights the current status of works, with an indication of the percentage completed and whether any staging has been completed to date</i></p>	<p>URM have advised that this project is significantly progressed with approximately 75% of works on site being completed. We do note that no stage has been fully completed yet.</p>
4	<p>SITE COMPOUND</p> <p><i>Full details of what is to be stored in the site compound.</i></p>	<p>The site compound is used for the storage of machinery and equipment utilised for the approved earthworks.</p> <p>It is noted that buildings and works for the construction of "A temporary shed or temporary structure for construction purposes" is exempt from a planning permit pursuant to Clause 62.02-1.</p>
5	<p><i>Scaled and dimensioned elevation plans of all proposed buildings (temporary or otherwise) including:</i></p> <ul style="list-style-type: none"> <i>a) A floor layout plan</i> <i>b) Elevations in all four directions.</i> <i>c) Details of external colours and materiality.</i> 	<p>As above, the site compound is a temporary structure required during the construction process that is exempt from a planning permit as per Clause 62.02-1.</p> <p>We respectfully therefore maintain that a scaled and dimensions elevation plans of the shed are not required.</p>

Item	Request	Comments
6	<p>SITE PLANS</p> <p><i>Updated fill plans to show:</i></p> <ol style="list-style-type: none"> <i>Natural Ground Level, Finished Surface Level as approved under Planning Permit T170760 (minimum 0.25m increments, consistent with site levels shown on the endorsed General Arrangements Plan) and any variation in levels across the site that are proposed as part of this amendment.</i> <i>To assist in differentiating the levels it is requested these are depicted using different colours.</i> <i>The alignment of the Land Subject to Inundation Overlay that affects the property.</i> <i>Dimensioned setbacks that show the closest extent of earthworks from each title boundary.</i> <i>Dimensioned setbacks of the compound and any proposed buildings from title boundaries.</i> <i>Approximate dimensions for all stockpile areas.</i> 	<p>Please refer to the updated Bulk Earthworks Plan which have been updated to show the additional 950 cubic metres associated with the filling in of the existing dam.</p> <p>No other amendments are proposed to the approved fill area.</p> <p>For the temporary fill area beyond the approved area, we have undertaken a survey of this fill and present this on the updated development plans.</p> <p>This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</p>
7	<p>SECTION DIAGRAMS</p> <p><i>Section diagrams updated to reflect any changes to the volume and/or distribution of fill from that shown on endorsed plans.</i></p>	<p>Please refer to the updated Section Diagrams included within the updated Bulk Earthworks Plan which have been amended to show:</p> <ul style="list-style-type: none"> • Temporary fill areas • The additional 950 cubic metres of fill associated with the filling of the existing dam.
8	<p>LANDSCAPE PLAN</p> <p><i>An amended plan consistent with the plan endorsed with the permit (Landscape Plan Revegetation, Revision B, dated 13/09/19) but modified to reflect the amended fill plan and:</i></p> <ol style="list-style-type: none"> <i>A program for the timing of restorative planting that</i> 	<p>Please refer to the updated Landscape Plan which has been amended to be generally in accordance with the previously endorsed version.</p> <p>Additionally, a general program of timing and restorative planting has been provided on page 2 of the Landscape Plan.</p>

Item	Request	Comments
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corresponds with the staging plan.

Furthermore, we note the following responses to each of the preliminary concern/s issues raised by Council in their request for further information.

Item	Request	Comments
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i. LANDSCAPE PLAN

The proposed landscape plan is a substantial regression from the plan currently endorsed by Council and is not supported. An amended plan consistent with the plan endorsed with the permit is requested to assist in restoring the environmental values of the property and stabilising earthworks.

As detailed above, please refer to the updated Landscape Plan prepared by Taylors.

ii. INTERNAL REFERRALS

The application has been referred to relevant departments internally and some responses are still to be received. Once comments have been received, additional information and/or concerns may be raised and will be communicated at the earliest Opportunity.

Noted.

iii. EXTERNAL REFERRALS

*The application has not been referred to relevant external authorities due to the incomplete nature of the application. On receipt of all information requested, the application will be referred to **Melbourne Water** pursuant to Clause 66.03, under Section 55 of the Planning and Environment Act 1987.*

Noted.

We trust that the plans, supporting material and accompanying submission addresses Council's request and concerns in full and we look forward to instructions for advertising of the application.

Of course, should you have any further queries or require any clarification in relation to the above, please do not hesitate to contact me via email at j.manion@taylorssds.com.au or on 9501 2800.

Yours faithfully

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Our Ref: 21181/P
Address: 770 Five Mile Road, Nar Nar Goon

23 May 2025

Cardinia Shire Council
20 Siding Avenue
OFFICER VIC 3809

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Lodged via email: mail@cardinia.vic.gov.au

Dear Sir/Madam,

SECTION 72 AMENDMENT APPLICATION
Planning Permit T170760
770 Five Mile Road, Nar Nar Goon

We continue to act on behalf of Urban Resource Management Australia ('the Permit Holder') in relation to the land at 770 Five Mile Road, Nar Nar Goon ('the site') and Planning Permit T170760 ('the Planning Permit').

As Council are aware, the Planning Permit was originally issued on 12 June 2019 and allows:

"Use of the land and earthworks associated with the disposal of clean fill, generally in accordance with the approved plans."

We enclose for your consideration, an application to amend the permit preamble and relevant endorsed plans of the Planning Permit, pursuant to and afforded by Section 72 of the Planning and Environment Act 1987 ('the act').

We seek to update the permit preamble to include the permit trigger for temporary works within a portion of the site subject to the Land Subject to Inundation Overlay (LSIO). Furthermore, we seek to amend the endorsed plans issued on 13 September 2019 and 16 October 2019 under the Planning Permit. The purpose of this amendment is to ensure the relevant plans are amended and endorsed in response to the issued identified in Council's Direction Letter dated 4 September by Jennifer Fallu, Planning and Compliance Enforcement Officer. The proposed changes as part of this request can be summarised as follows:

- The provision of separate entry and exit vehicle points on site
- Revised location of the Spill Kit and Site Container
- Removal of the 'Wash Up' Area
- Revised topsoil stockpile locations
- Revised fill staging
- Temporary earthworks within the Land Subject to Inundation Overlay

We preface that not all the endorsed material under the Planning Permit will be amended in accordance with this Section 72 Amendment. Only certain plans need to be amended as detailed below which will supersede those previously endorsed, with the remaining plans unchanged continuing to form part of the endorsed plan set. As such, please find enclosed the following amended plans prepared by Taylors Development Strategists to supersede the relevant plans in the endorsement set:

- Amended Site Environmental Management Plan
- Amended Fill Staging Plan
- Amended Construction Environmental Management Plan
- Amended Landscape Plan Fill Plating
- Amendment Land Management Plan
- Amended Haulage plan

We also enclose the following documents for Council's consideration:

- A copy of Melbourne Water's advice dated 1 April 2025.
- A copy of Council's Directions Letter dated 4 September 2024.
- Completed Section 72 Amendment Form.
- Copy of Title.

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Background

On 4 September 2024, our client received a Directions Letter from an Officer of Council's Planning and Compliance Enforcement Department, detailing the site visits that have been conducted, the permit conditions that have been breached and directions to ensure compliance. A copy of this Directions Letter is provided with this application for future reference.

Specifically, the Officer has identified breaches of the following permit conditions:

- Condition 2: *The layout of the site is not per the endorsed plan set, specifically:*
 - *The endorsed plans under planning permit T170760 – PC1 show that there should be only one entry/exit access point, and the inspection and roadside photos showed that there were two separate entry and exit points to the site.*
 - *At the intersections, no wash up area or spill kits were located at the site entrance / exit.*
 - *Silt fencing, and new tree protection fence to be installed as per CEMP.*
- Condition 15: *The rumble grid is not located near the site's main entrance/exit point as per the plans.*
 - *The rumble grid should be located at the entrance/exit point as per the endorsed plans of the CEMP and the Land Management Plan, however the inspections showed that the rumble grid was not located where it should be, and therefore may be ineffective where it is located.*

We note that a secondary consent application was lodge with Council in October 2024 which addressed the above concerns raised by Council in their Directions Letter. However, correspondence from Council dated 23 December 2024, outlined that the submission of a secondary consent amendment was not applicable as primary consent has not been afforded under the LSIO. In accordance with Council's advice, this Section 72 Amendment has been prepared.

Proposed Amendment

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Per Council's Directions Letter, it is our intention to amend the permit preamble and submit amended documentation which reflects the current layout onsite and for the material to be endorsed via Section 72 of the Planning and Environment Act. All required amendments to the approved development are to be contained within the existing title boundaries.

The proposed amendment seeks planning permission for the temporary works within the LSIO. Pursuant to Clause 44.04-2, a permit is required to construct or carry out works. A full assessment detailing that the proposal aligns with the decision guidelines of the LSIO has been included below, and as such, we request the permit preamble is to be updated. The current permit preamble reads as follows:

"Use of the land and earthworks associated with the disposal of clean fill, generally in accordance with the approved plans."

We propose the permit preamble be reworded as follows:

*"Use of the land and earthworks associated with the disposal of clean fill, **including temporary works within the LSIO**, generally in accordance with the approved plans."*

Condition 2 of the Planning Permit indicates that the endorsed plans must not be altered without written consent of the Responsible Authority and as such this application seeks approval from Cardina Shire Council to make changes to the specific endorsed plans dated 13 September 2019 and 16 October 2019. The enclosed documentation proposes the following amendments:

Document Title	Amended Details
Site EMP A1 Plan (1) - Types and Locations of Environmental Protection Measures Dated 15 May 2025 Revision E	<ul style="list-style-type: none">• The provision of separate entry and exit vehicle points on site.• A new entrance point towards the northern end of the site.• Revised locations of the 'Spill Kit' and 'Site Container'• Removal of the 'Wash Up' Area.• Revised topsoil stockpile location.• Revised Silt Fence locations.• Inclusion of temporary works area.

Site EMP A1 Plan (2) - Risk Assessment and Designs of Environmental Protection Measures Dated 15 May 2025 Revision E	<ul style="list-style-type: none"> • Revision C to ensure consistency with revised Sheet 1 of Site EMP. • Included the extent of the proposed temporary works
Fill Staging Plan	<ul style="list-style-type: none"> • Fill staging reduced from four (4) stages to three (3).
Land Management Plan	<ul style="list-style-type: none"> • Updated with latest aerial imagery and site layout. • Included the extent of the proposed temporary works
Haulage Plan	<ul style="list-style-type: none"> • Updated with latest aerial imagery and site layout. • Included the extent of the proposed temporary works
Landscape Plan Fill Planting	<ul style="list-style-type: none"> • Updated to reflect the latest site conditions.

Planning Controls and Permit Triggers

The site is located within the Green Wedge Zone – Schedule 1 (GWZ1) and is subject to the Land Subject to Inundation Overlay (LSIO) pursuant to the provisions of the Cardinia Planning Scheme (‘the Planning Scheme’).

The land will continue to be utilised for earthworks as approved under the Planning Permit. The proposed temporary works area is located within an area of the site subject to the LSIO. As such, an assessment against the LSIO has been provided below.

Land Subject to Inundation Overlay

Pursuant to Clause 44.04-2 of the Planning Scheme, a planning permit is required to construct a building or construct or carry out works on land subject to the LSIO. As a result, the permit preamble is requested to be updated to include this additional permit trigger.

We note that Melbourne’s Waters advice was sought prior to the lodgement of this application. A copy of their comments has been submitted alongside this report. Of particular note, Melbourne Water state that (inter-alia):

“The property contains the Mount Ararat Drain a Melbourne Water Channel Drain. No works are permitted within (10) metres of the top of the bank of the drain and any works within this setback will require Melbourne Water approval.”

In response to this advice, a 10-metre setback has been afforded the temporary works which will ensure that no works are done within 10 metres of the Mount Ararat Drain.

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Please refer to the response to the relevant decision guidelines of the LSIO below:

Decision Guideline	Response
<i>Any comments from the relevant floodplain management authority.</i>	<p>As discussed above, Melbourne Water is the relevant floodplain management authority, and as detailed above, a 10-metre setback has been afforded to the temporary works area to ensure no works protrude within 10 metres of the Mount Ararat Drain.</p> <p>A 10-metre setback has been clearly detailed on the updated CEMP and states that no work is to be done within this setback.</p>
<i>The existing use and development of the land.</i>	<p>The approved earthworks on site are currently well advanced.</p> <p>The portion of the site located within the Land Subject to Inundation Overlay (LSIO) has recently been utilised for haulage and stockpiling purposes. While these operations were initially intended to remain within the designated earthworks boundary, it became necessary to extend them beyond the original limits due to functional and operational constraints. The existing earthworks area has become overcrowded, prompting the use of adjacent land to accommodate the essential haulage and stockpiling items at no adverse detriment to the natural environment.</p> <p>We note that no earthworks are proposed within the temporary works area. This space will be utilised for haulage and stockpiling purposes only. Furthermore, upon completion of the earthworks on site, the area affected by the LSIO will be reinstated to its original natural ground level, ensuring no adverse long-term impacts on the natural environment.</p>
<i>Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.</i>	<p>By virtue of the LSIO running diagonally across the site, the use of land for haulage and stockpiling cannot practically be located on flood-free land.</p>

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	We understand that the provision of a 10-metre setback between the proposed temporary works area and the existing creek should decrease the flood hazard associated with this overlay.
<i>Alternative design or flood proofing responses.</i>	The proposed works, limited to temporary haulage roads and stockpiling should not require flood proofing responses or alternative designs.
<i>The susceptibility of the development to flooding and flood damage.</i>	We understand that the proposed works, limited to haulage roads and stockpiling do not have any higher susceptibility to flooding than the existing earthwork use, or surrounding agricultural land.
<p><i>The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:</i></p> <ul style="list-style-type: none"> <i>• The frequency, duration, extent, depth and velocity of flooding of the site and accessway.</i> <i>• The flood warning time available.</i> <i>• Tidal patterns.</i> <i>• Coastal inundation and erosion.</i> <i>• The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.</i> 	The temporary works area is not expected to result in any known flood risk to life, health and safety.
<i>The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.</i>	The proposed temporary works area is to be set back a minimum of 10-metres from the creek, ensuring no adverse effect on floodwater, stormwater or drainage.
<i>The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.</i>	The land within the LSIO is proposed to be used for temporary haulage and stockpiling purposes and we therefore maintain that no adverse impacts will be afforded the land.

On the basis of the above, the proposed temporary works area within the LSIO portion of the site appropriately assists to complete the approved earthworks on the land and we believe the proposed temporary works within the LSIO has planning merit.

It is noted that the inclusion of the LSIO trigger is exempt from notice and review as per Clause 44.04-6.

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Assessment

The proposed amendments to the endorsed plans are entirely appropriate, noting the following:

- The changes proposed are required in response to Council's Directions Letter and to ensure consistency with the current site conditions.
- The additional permit trigger under the LSIO positively responds to the relevant decision guidelines and incorporates the most recent advice received from Melbourne Water.
- Upon completion of the earthworks on site, the area affected by the LSIO will be reinstated to its original natural ground level, ensuring no adverse long-term impacts to the natural environment.
- The new entry point is entirely appropriate considering:
 - Trucks and heavy vehicles can efficiently navigate the site in a circular route from the new entry point to the existing exit point.
 - It is a desirable solution to reduce the potential for any vehicle backups or congestion, should vehicle access to and from the site be limited to one point. A number of large trucks may wish to navigate the site at the same time.
 - Any trucks and heavy vehicles arriving from Bald Hill Road will have an ample distance (approximately 100 metres) to reduce their speed and safely enter the site. Please refer to Figure 1 under Appendix A of this letter.
- The location of the silt fencing has been amended to reflect the revised stockpile location and also any areas that have been grassed that may no longer need such fencing.
- The amended plans (Environmental Management Plan) nominate the rumble grid in the same location as per the endorsed plans. However, this access point will solely be utilised as an exit for trucks out of the site to Five Mile Road. The rumble grid has been relocated to the exit as shown in Figure 2 under Appendix A of this letter. We deem that the rumble grid is in the appropriate location to serve its purpose by removing dirt, mud or other debris from the underbody and tyres of trucks exiting the site, keeping public roads clean.
- The Wash Up area has been removed from the CEMP in consideration that:
 - This area is not a prerequisite to address any environmental risks pursuant to the requirements under condition 26 of the Permit.
 - Wash up areas are typically not the best method for removing debris from trucks. The wash up area will result in wet tyres and potentially drag dirt and debris onto the public roads. As described above, the rumble grid is the most effective method for debris removal from trucks prior to exiting the site.
- The site container and spill kit have been relocated to a more centralised position on the site. This is a more functional location that allows for easier access from all stages.
- The amended staging is a more efficient and functional layout that allows the permit holder to fill in a north-south direction (or top to bottom) to complete the relevant stage. As demonstrated in Figure 4 under Appendix A, the previously endorsed plan included Stage 3 which was more problematic and awkward given that the proceeding Stages 1 and 2 would be left with a sheer batter at completion until

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Stage 3 was underway. It was identified on site that continuing Stage 1 and 2 down to the southern batter ensured that the stage could be completed in a continuous run.

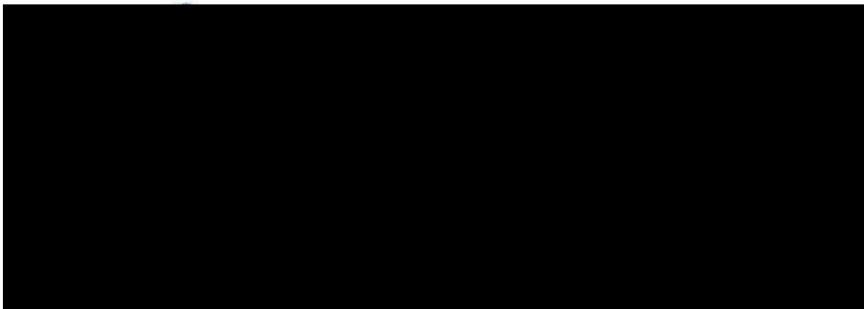
Summary

The proposed amendments are entirely appropriate to reflect the current site conditions. These amendments are also required pursuant to Council's enforcement letter.

On the basis of the above, and the extent of the proposed amendments, we respectfully request that Council utilise their discretion to update the permit preamble and endorse the updated material submitted with this application.

Of course, should you have any further queries or require any clarification in relation to the above, please do not hesitate to contact me on 9501 2800 or m.law@taylorsds.com.au.

Yours faithfully



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Appendix A – Figures and Photographs



Figure 1: Distance from bald Hill Road to new Entry Point (Metromap.com)



Figure 2: Existing rumble grid from Exit Point (Site Photograph, 24 September 2024)

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Figure 3: Existing entrance to be utilised as new Entry Point (Site Photograph, 24 September 2024)

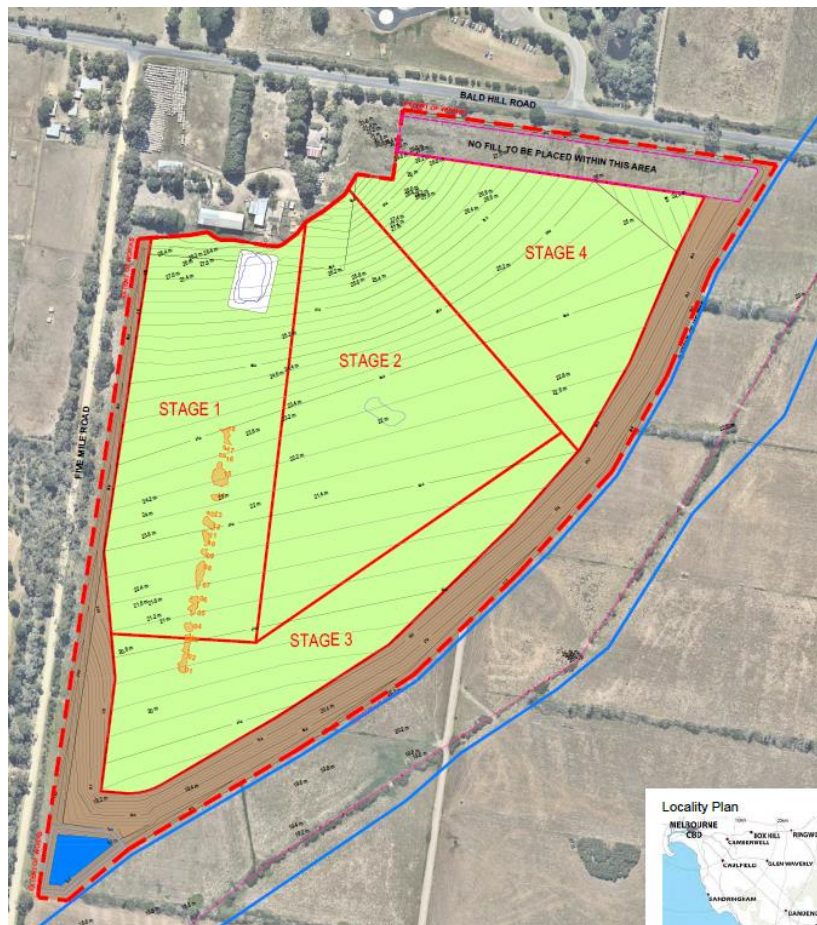


Figure 4: Previously endorsed staging plan that is proposed to be amended

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Weed Control

- Weeds are to be controlled through the continuing use of Apparent Bow Saw 600 herbicide
- Weed control must not adversely impact native vegetation or waterways
- At all times the manager must actively control weeds on the site
- Vehicles shall be manually cleaned of excessive material prior to leaving the site
- Vehicles and machinery are to be free of mud when entering and exiting the site via the rumble pads, to prevent to spread of phytophthora.
- Agronomist to supervise works and advise weed control actions as required

Machinery & Vehicle Routes

- Machinery to be located outside the TPZs of trees to be retained
- Vehicles to utilise defined routes within the subject site, between batters and fencing/tree protection fencing

Tree Protection Measures

- Existing boundary fences to be retained and utilised as tree protection fencing
- Tree protection fencing to be provided to the north west of the works area, as indicated
- Fencing must be signposted as ‘Tree Protection Zone’
- The tree protection fencing must not be placed within Tree Protection Zones

Vegetation Retention

- No vegetation within the works area is proposed to be retained
- Existing vegetation outside of the works area is to be retained
- Fill to be maintained within the approved area, ensuring works are adequately located outside of the Tree Protection Zones of trees to be retained



Legend

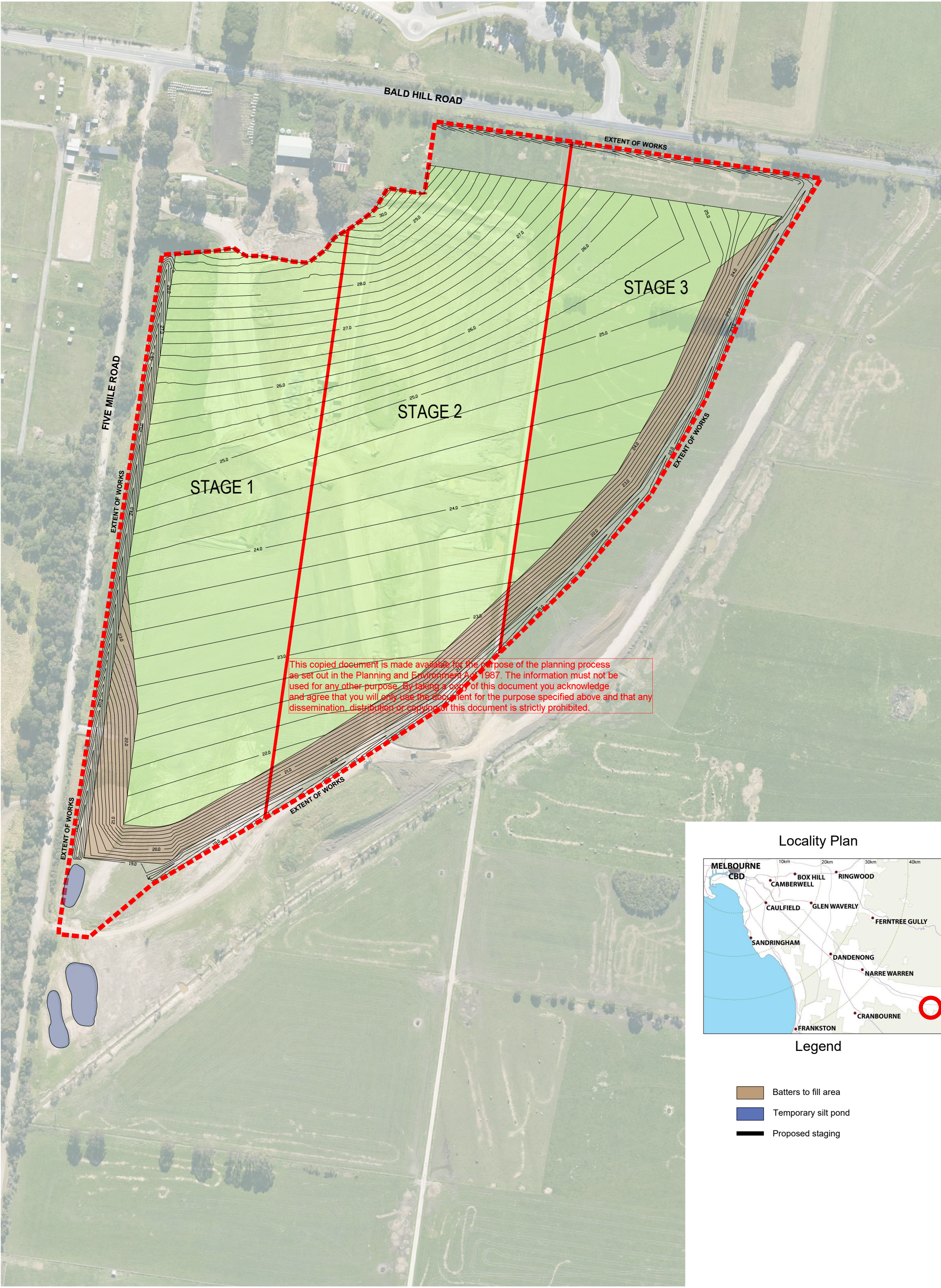
- Extent of earthworks
- Area of Temporary works
- Tree Protection Fence – Existing Boundary Fence
- Tree Protection Fence
- ↔ Vehicle Routes
- ▦ Rumble Grid

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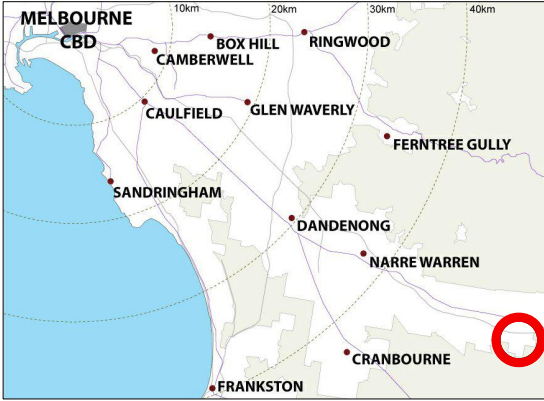
Figure 1: Current herbicide – Apparent Bow Saw 600





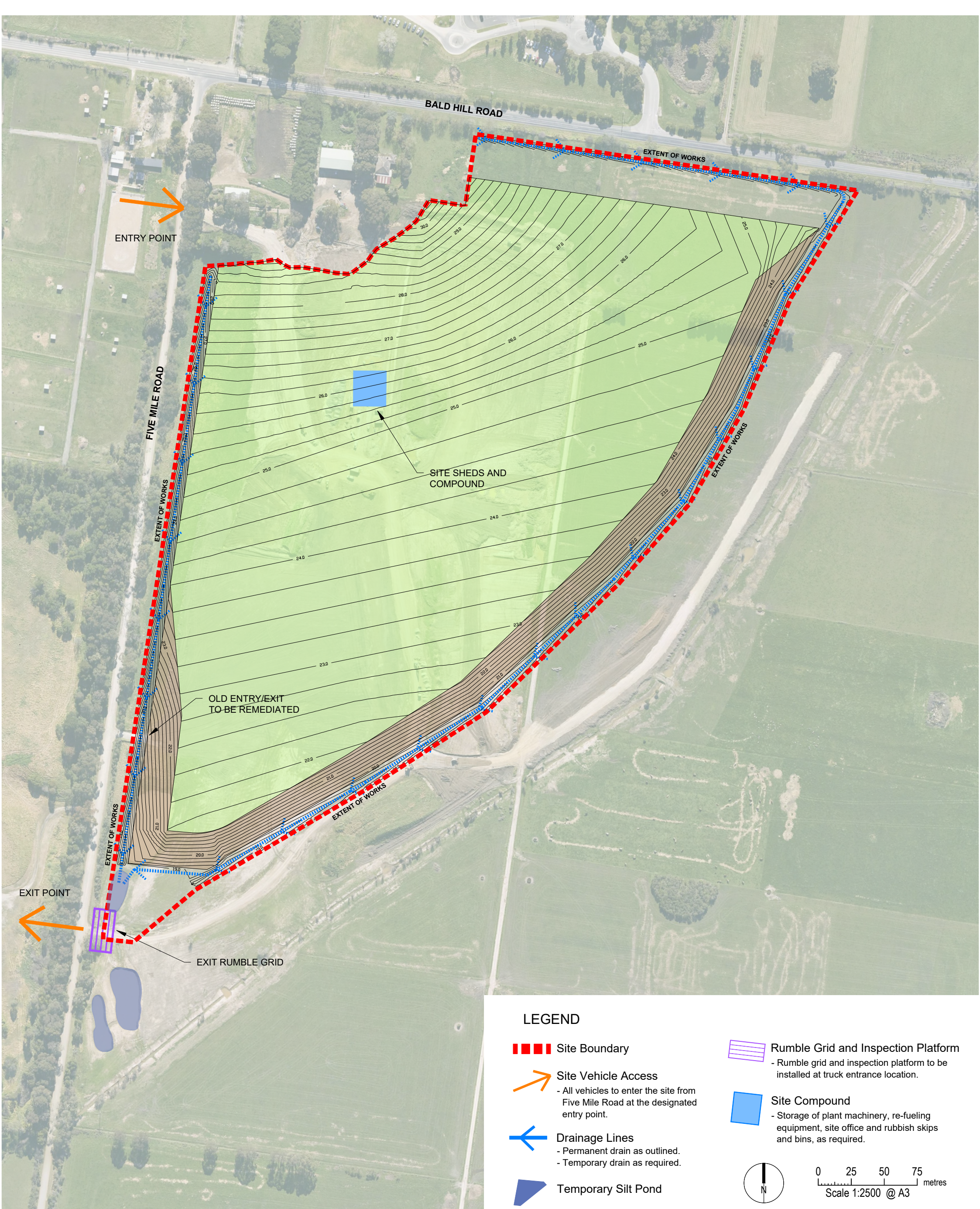


Locality Plan

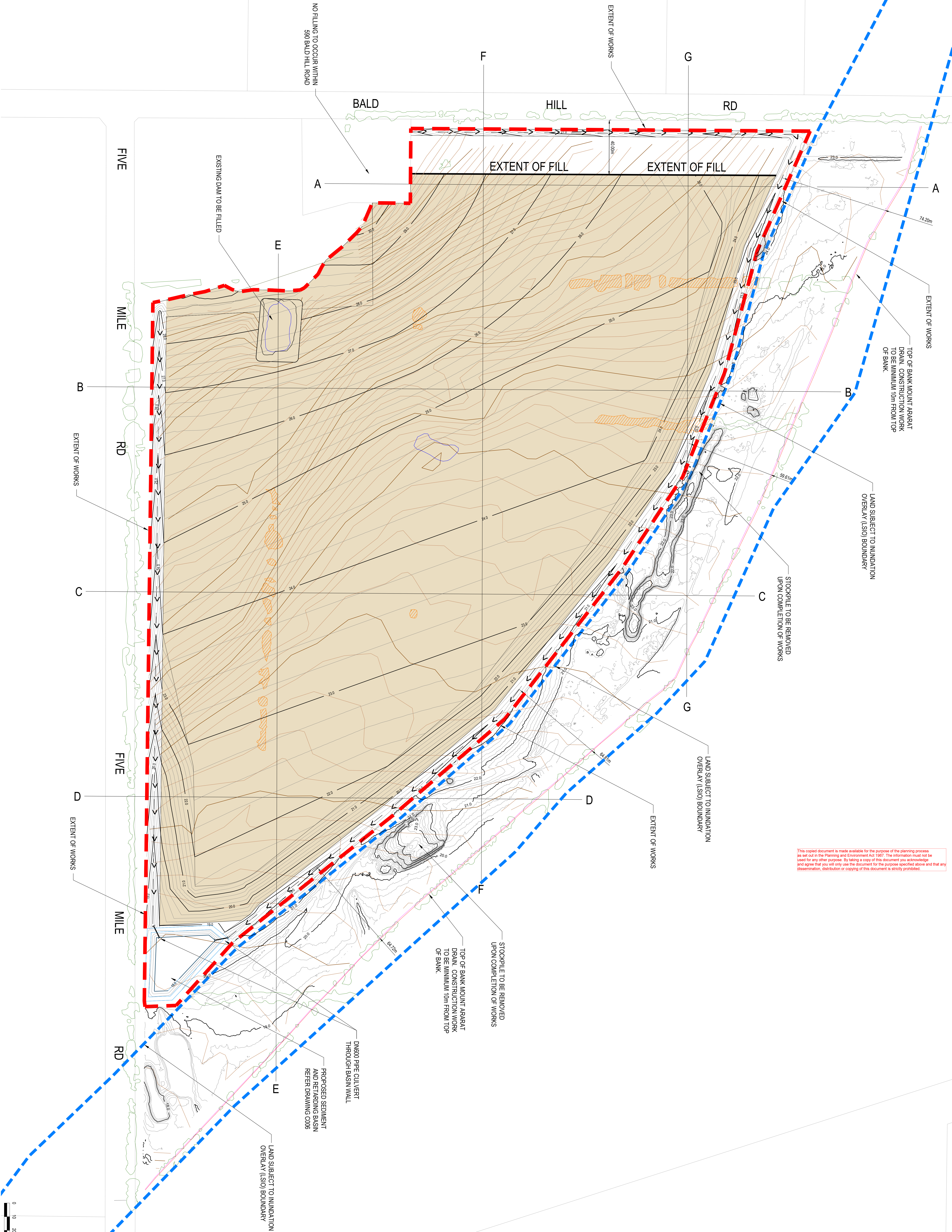
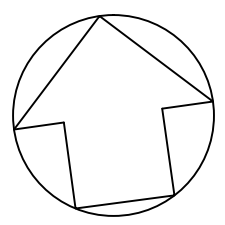


Legend

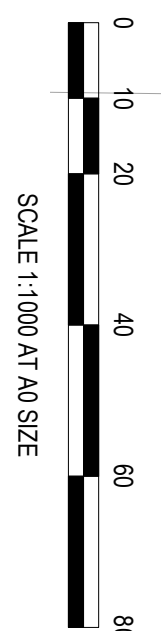
- Batters to fill area
- Temporary silt pond
- Proposed staging



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SCALE 1:1000 AT A3 SIZE

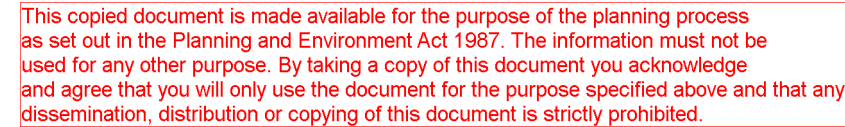
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WARNING
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VER		DATE	REVISION	APPRO	LEGEND	
						AREA TO BE REMOVED (REFER ARCHITECT REPORT)
						AREA TO BE REMOVED (REFER ARCHITECT REPORT)
						LIMIT OF WORKS
						EXTENT OF FILLING WORKS
						AREA TO BE REMOVED (REFER ARCHITECT REPORT)
						EXTENT OF FILLING WORKS
					Urban Development Built Environment Infrastructure 8/270 Fernside City Road, Werribee, VIC 3060 Tel: 03 9397 2000 Web: taylorsof.com.au	
					DESIGNED: AMM CHECKED: JOM AUTHORISED: JOM DATE: 22/08/17 DRAWN: AMM DATE: 22/08/17 DRAWN: AMM	
					CARRING SHIRE COUNCIL 770 FIVE MILE ROAD NAR NAR GOON BULK EARTHWORKS GENERAL ARRANGEMENT PLAN	
					SCALE: SEE SCALE BAR VERSION: C SHEET: 1 OF 7 DRAWING NO.: C001	

PRELIMINARY
NOT FOR CONSTRUCTION



SECTION A-A



WARNING

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CONTRACTOR PRIOR TO COMMENCEMENT OF WORKS.

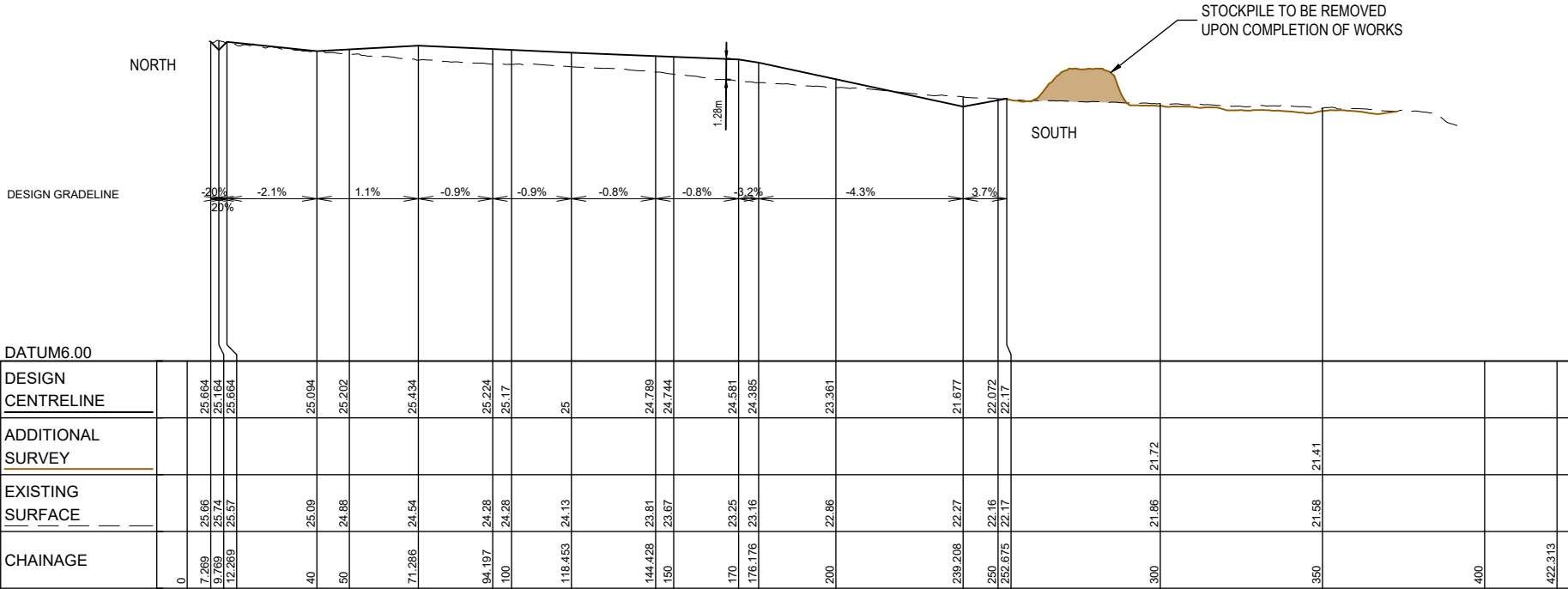
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SECTION G-C



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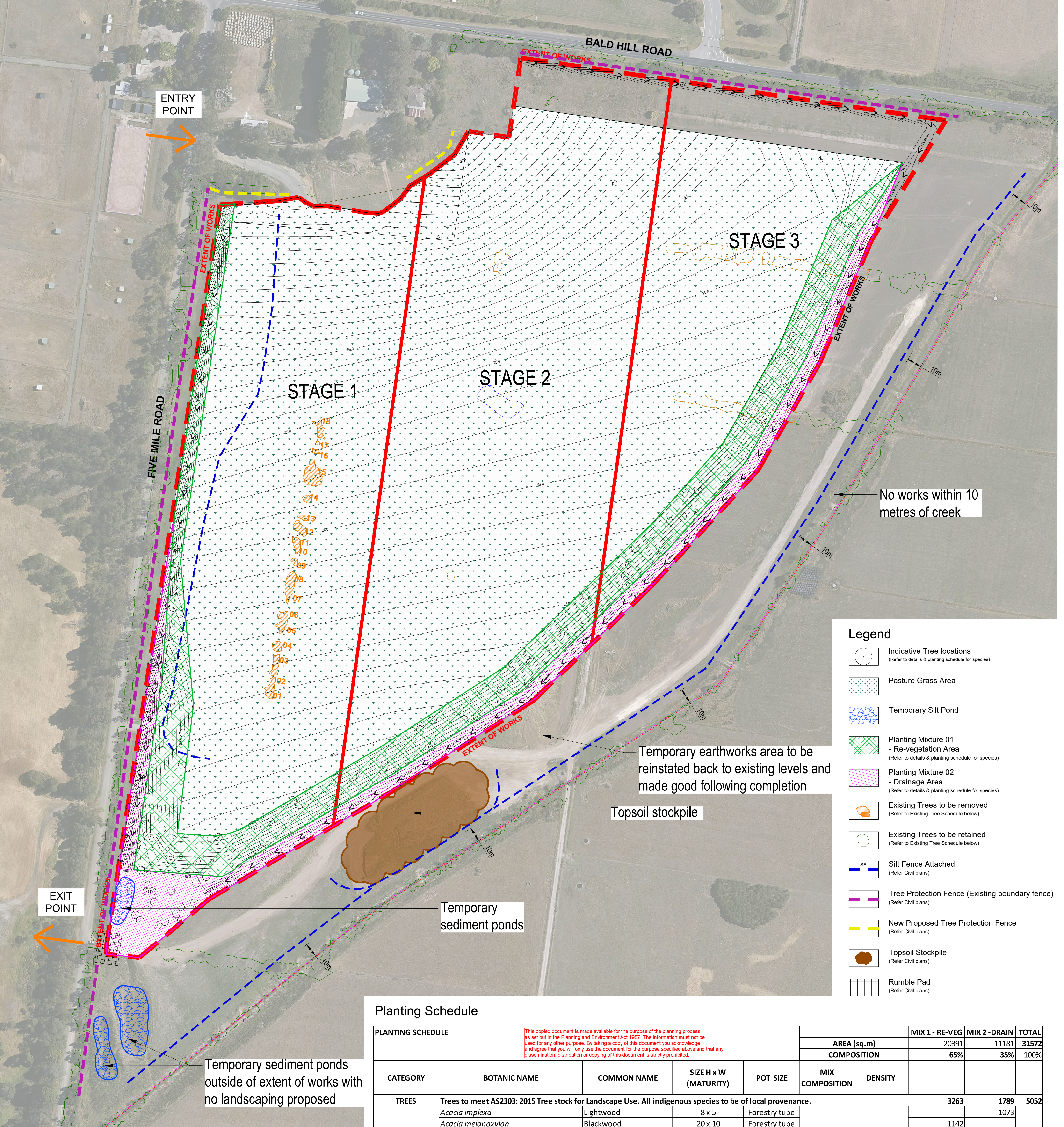
WARNING

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PRELIMINARY

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Existing Tree Schedule

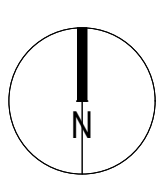
TREE	BOTANICAL NAME	COMMON NAME	SIZE (H x W)	RETAINED / REMOVED
1	Eucalyptus globulus	Blue gum eucalyptus	10 x 7	REMOVED
2	Eucalyptus globulus	Blue gum eucalyptus	10 x 5	REMOVED
3	Eucalyptus globulus	Blue gum eucalyptus	10 x 7	REMOVED
4	Eucalyptus globulus	Blue gum eucalyptus	8 x 5	REMOVED
5	Eucalyptus globulus	Blue gum eucalyptus	10 x 7	REMOVED
6	Melaleuca armillaris	Bracelet honey myrtle	7 x 5	REMOVED
7	Eucalyptus globulus	Blue gum eucalyptus	12 x 8	REMOVED
8	Eucalyptus globulus	Blue gum eucalyptus	9 x 5	REMOVED
9	Eucalyptus globulus	Blue gum eucalyptus	7 x 7	REMOVED
10	Eucalyptus globulus	Blue gum eucalyptus	12 x 7	REMOVED
11	Melaleuca armillaris	Bracelet honey myrtle	7 x 9	REMOVED
12	Eucalyptus globulus	Blue gum eucalyptus	6 x 4	REMOVED
13	Melaleuca armillaris	Bracelet honey myrtle	6 x 6	REMOVED
14	Eucalyptus globulus	Blue gum eucalyptus	10 x 6	REMOVED
15	Eucalyptus globulus	Blue gum eucalyptus	12 x 8	REMOVED
16	Eucalyptus globulus	Blue gum eucalyptus	10 x 6	REMOVED
17	Eucalyptus globulus	Blue gum eucalyptus	10 x 7	REMOVED
18	Eucalyptus globulus	Blue gum eucalyptus	10 x 4	REMOVED

NOTE: In accordance with Arborist Report - Landscape Impact Assessment, 770 Five Mile Road Nar Nar Goon, VIC, 3812. Prepared by Adam Dalton (Grandview Tree Care Pty Ltd). Dated August 2017

Planting Schedule

PLANTING SCHEDULE							MIX 1 - RE-VEG	MIX 2 - DRAIN	TOTAL				
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					COMPOSITION		65%	35%	100%				
CATEGORY	BOTANIC NAME	COMMON NAME	SIZE H x W (MATURITY)	POT SIZE	MIX COMPOSITION	DENSITY							
TREES	Trees to meet AS2303: 2015 Tree stock for Landscape Use. All indigenous species to be of local provenance.						3263	1789	5052				
	Acacia implexa	Lightwood	8 x 5	Forestry tube	4%	4/sq.m		1073					
	Acacia melanoxylon	Blackwood	20 x 10	Forestry tube			1142						
	Eucalyptus dives	Broad-leaf Peppermint	8-25 x 6-15	Forestry tube			489						
	Eucalyptus ovata	Swamp Gum	8 x 4	Forestry tube			653						
	Melaleuca ericifolia	Swamp Paperbark	10-18 x 8-10	Forestry tube			979	716					
MEDIUM SHRUBS	1-5m tall. All indigenous species to be of local provenance.						13050	7156	20206				
	Acacia myrtifolia	Myrtle Wattle	2.0 x 1.0	Forestry tube	16%		4/sq.m	2740	7156				
	Allocasuarina paludosa	Swamp Sheoak	2.0 x 1.0	Forestry tube				1566					
	Banksia marginata	Silver Banksia	3.0 x 2.0	Forestry tube				2350					
	Goodenia ovata	Hop Goodenia	2.5 x 3	Forestry tube				3523					
	Leptospermum continentale	Prickly Tea-tree	4.0 x 2.0	Forestry tube				2871					
SMALL SHRUBS	< 1m tall. All indigenous species to be of local provenance.							32625	17889	50514			
	Atriplex semibaccata	Australian saltbush	0.3 x 1.5	Forestry tube	40%			4/sq.m	8156				
	Correa reflexa	Common Correa	0.8 x 1.0	Forestry tube					8157				
	Pimelea humilis	Common Rice-flower	0.5 x 0.8	Forestry tube					8156	10734			
	Tetratheca ciliata	Pink Bells	0.6 x 0.6	Forestry tube					8156	7155			
GRASS & GRASS-LIKE TUSSOCKS	All indigenous species to be of local provenance.								32625	17889	50514		
	Carex appressa	Tall Sedge	1.2 x 1.0	Forestry tube	40%				4/sq.m		8050		
	Dianella longifolia	Pale Flax Lily	0.5 x 0.5	Forestry tube						9135			
	Juncus ambilis	Austrak Rush	0.8 x 0.8	Forestry tube							3578		
	Juncus pallidus	Pale Rush	1.5 x 1.0	Forestry tube							6261		
	Lomandra Longifolia	Spiny-headed Mat Rush	0.8 x 0.5	Forestry tube						5220			
	Poa Labillardierei	Tussock Grass	0.8 x 1.0	Forestry tube						9135			
	Themeda triandra	Kangaroo Grass	1.0 x 0.8	Forestry tube						9135			
TOTAL PLANTS					100%					N/A			126286

NOTE: Planting schedule (plant ratio in accordance with DEECA Native Vegetation Re-Vegetation Planting Standards 2006). Tree locations on plans are indicative only.



PROGRAM FOR THE TIMING OF RESTORATIVE PLANTING.

- 1.Planting implementation
 - Timing- align with seasonal rainfall (see calendar below)
 - Techniques - hand planting tubestocks with guards and mulch
 - hydromulching to large-scale sites
 - Species mix - Trees: Acacias, Eucalypts, melaleucas
 - Medium shrubs: Native shrubs
 - Small shrubs: Native grasses and shrubs
 - Grass & Grass like tussocks: Sedges, rushes and grasses
- 2.Maintenance & Monitoring (Years 1-5)
 - Watering- (if needed in first summer)
 - Weed management- during spring flush
 - Infilling- dead plants next winter
 - Pest control- rabbits, kangaroos, deer)
 - Monitoring- survival rates, canopy cover, fauna return

3.Seasonal timing in Victoria

Season	Conditions	Planting	Notes
Summer (Dec-Feb)	Hot, dry, unreliable rainfall	No planting. Weed control, fencing, order seedlings	Only irrigated wetlands/urban sites suitable
Autumn (March-May)	Cooling temps, reliable rainfall	Main planting window - trees, shrubs, groundcovers	Best survival; roots establish before winter
Winter (June-August)	Cold, wet, frosts in some areas	Continue planting hardy natives, grasses, sedges Extend planting (if irrigation). Direct seed native grasses, wildflowers	Avoid frost - sensitive species until late winter
Spring (September-November)	Warning, variable rainfall		Weed control critical; moisture stress risk

- 4.Program flow example (Year 1-2)
- Year 0 (Summer-Autumn): Site assessment - design - weed control - order seedlings
- Year 1 (Autumn-Winter): Major planting - install guards/fencing - apply mulch
- Year 1-2 (Spring-Summer); Maintenance - watering - weed management
- Year 2 (Autumn); infilling where survival <80% - monitoring - adapt management

	Year 1				Year 2			
	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring
1. Site assessment & Planning								
2. Weed Control & Site Preparation								
Soil Preparation								
Weed Control								
3.Planting								
Ordering								
Main Planting (Trees & medium shrubs)								
Planting (Small shrubs and grasses)								
Hydromulching								
4. Maintenance & Watering								
5. Weed Control & Monitoring								
Infilling where survival lower than 80%								

NOTE: Program timing to be adopted per stage.

LANDSCAPE NOTES

1.SITE PREPARATION

- General
- Site preparation to be carried out in accordance with best horticultural practice and under suitable conditions.
Disturbance to indigenous soil structure is to be minimised. The use of machinery that may damage soil structure or profile is not acceptable.
- Weed Control
- Remove and dispose of environmental weeds off site prior to subgrade preparation, topsoiling and planting works.
- Subgrade Preparation
- Subgrade to all turf and planted areas is to be cultivated to minimum depth of 150mm and shaped to achieve drainage falls prior to topsoiling. Subgrade to be tested prior to preperation and conditioning to determine ph, salinity and gypsum requirement.
Any gypsum required is to be distributed at at the manufacturers recommended rate and cultivated into the subgrade at a minimum depth of 150mm.
- Spreading of Topsoil
- Nature strips to be topsoiled as part of Civil works. If additional imported topsoil is required it is to be spread in maximum 150mm layers, lightly compacted by use of a 150-200kg roller, or by thoroughly walking in. Continue placing topsoil until it accords with finished kerb levels or within 75mm below edging levels to accommodate mulch.
- Imported Topsoil
- Cultivate and implement topsoil to a depth of 200mm for garden beds and 75mm for turf areas.
Imported topsoil for garden beds to be medium texture general purpose garden soil, to comply with A. S. 2223-1978, and as follows:
- free from perennial weeds and their roots, bulbs and rhizomes,

- free from building rubble and any other matter deleterious to plant growth,

- ph to be 6.0-7.0,

- texture to be light to medium friable loam,

- free from silt material.
- Soil is to be lightly compacted to minimum 300mm depth to garden beds. Imported topsoil for turf rejuvenation/establishment shall have the above characteristics, but shall be a free draining sandy loam lightly compacted to minimum 100mm depth.
- Soil Conditioning
- Application of 3-6 month slow release fertiliser such as “Osmocote” to rootball surrounds at manufacturers recommended rates.
- Mulch
- Mulch should be approved non-leafy mulch conforming to AS 4454-2012, and have 80% particles in the size range 6-10mm in plan, and 5-10mm in thickness. No particle is to exceed 25mm in plan. Avoid the use of rare timbers as mulch.
Evenly spread 75mm (min.) depth of approved mulch. Mulch is to be kept away from tree trunks and plant stems to prevent collar-rot.

2. PLANTS - QUALITY OF TREES AND SHRUBS

- Trees and shrubs shall be healthy nursery stock free from insects, diseases and weeds. Trees and shrubs shall be the specified plant heights, and pot sizes indicated are minimums.
If plant material is unavailable in these sizes, larger stock must be used. Plant substitution is not acceptable.
- 3.MAINTENANCE
- Maintenance shall be comprised of the following works to ensure continuous healthy growth of all vegetation and ensure the site is maintained in a tidy fashion for the duration of the Maintenance Period:
- Initial establishment (first 3 months);
 - minimum weekly site visits
- Consolidation period (3-6 months);
 - minimum weekly site visits during warmer months
 - minimum fortnightly site visits during cooler months
- Ongoing period (6-12 months);
 - minimum fortnightly site visits

Actions to be undertaken: All vegetation planted as part of the program of works will be regularly maintained to ensure ongoing health and establishment of the works, including:
watering, weeding, rubbish removal, fertilising, pest and disease control, re-staking and tying, replanting, mulching, and pruning.
This work will be undertaken by the landscape contractor appointed by the developer. The work is to be undertaken on a minimum basis outlined above and as required to ensure successful establishment as per the contract specifications.

Defects liability: The whole of the works shall be upheld against any defects due to faulty and/or inferior quality materials and / or workmanship as per the requirements of the Head Contract.

Program: Furnish a proposed planting maintenance program, and amend it as required. Comply with the amended program.

Replacements: Continue to replace failed, damaged or stolen plants. If failed due to incorrect/insufficient establishment or maintenance or technique, or neglect, no additional cost for replacement may be claimed. It is the Contractor's responsibility to demonstrate plants have been stolen/vandalised.

Mulched surfaces: Maintain the surface in a clean and tidy condition and reinstate the mulch as necessary.

Grassed areas: Carry out grass mowing throughout the contract period only as required to maintain the site in a neat, healthy condition

Insecticide Spraying: Spray against insect and fungus infestation as required, and if considered necessary by the Superintendent. All spraying shall be carried out in accordance with the manufacturer's directions. Report any occurrence of insect attack or evidence of disease amongst the plant material. The Superintendent shall be notified prior to spraying work being carried out.

Watering: All planting and garden beds are to be watered regularly to ensure continuous healthy growth. The minimum requirement shall be consistent with the natural rainfall of the site location. New planting shall receive regular and frequent deep soakings to ensure establishment and healthy growth. Watering method and technique shall accord with current water restrictions. Monitor water requirements and water adequately to ensure active growth, especially during warmer months.

Garden Areas: Garden beds shall be maintained in a weed free state. Any use of spot spraying or other form of weeding shall be undertaken so as not to damage plants planted as art of the contract. Any planting planted as part of the contract which is damaged by the contractor shall be replaced at the contractor's expense.

The Contractor shall mow the grass areas at a suitable height as instructed so as to maintain healthy growth and a neat appearance. The mowing frequency may be subject to change as approved by the Superintendent due to weather and other circumstances. Other maintenance activities for grassing such as weeding, reseeding, and rolling etc. shall be priced separately and approved by the Superintendent. If approved, grass areas to be weeded shall be sprayed with approved selective herbicide against broadleaf weeds in accordance with the manufacturer's directions.

3.SURVIVAL

- Survival goals: 100% of the proposed trees; 90% of the proposed shrubs; and 80% of the proposed grasses

- Minimum of 2 years following establishment

- The planting of additional vegetation at the site

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