



Maddocks

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14/10/2007

FILE No
DOC
MARS/PRISM

The Manager
Adjudication Branch
Australian Competition and Consumer Commission
P O Box 1199
DICKSON ACT 2602

Dear Sir

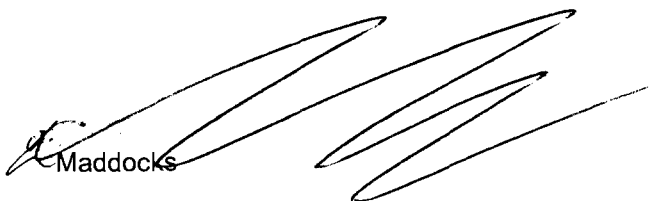
Third line forcing notification – Urbex Pty Ltd

We enclose the following for your attention:

1. Form G – notification of exclusive dealing; and
2. cheque for \$100.00 in payment of your fee.

If you have any queries please contact Nathan Lowenstein on 03 8615 0328.

Yours faithfully


Maddocks

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Form G

Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)

NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of person giving notice:
(Refer to direction 2)

N93624

Ascot Vale (Victoria) Pty Ltd ACN 106 114 121 of Level 23 'The Chifley Tower', 2 Chifley Square, Sydney NSW (AV)

- (b) Short description of business carried on by that person:
(Refer to direction 3)

AV is the registered proprietor of land in Ascot Vale, Victoria, which it proposes subdividing and selling for residential purposes (**Ascot Chase**).

- (c) Address in Australia for service of documents on that person:
C/- Nathan Lowenstein
Maddocks Lawyers
140 William Street
Melbourne Vic 3000

2. Notified arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

This notice relates to the supply of approximately 420 subdivided lots of land in Ascot Chase (**Lots**) in stages.

- (b) Description of the conduct or proposed conduct:
(Refer to direction 4)

AV proposes to develop and sell or offer for sale the 420 Lots in stages on the condition that each purchaser concurrently enters into a separate tripartite building contract, that is a major domestic building contract (within the meaning of the *Domestic Building Contracts Act 1995* (Vic)), with the nominated builders and AV, to construct a particular house design (as pre-determined by AV for that particular Lot). AV proposes to refuse to sell or offer for sale any of the Lots if purchasers will not comply with the above condition.

See further Annexure A, particularly paragraphs 1-16.

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

- (a) Class or classes of persons to which the conduct relates:
(Refer to direction 5)

Purchasers of the Lots.

- (b) Number of those persons:
(i) At present time:

No purchasers have yet entered into contracts for the sale of any Lots.

- (ii) Estimated within the next year:
(Refer to direction 6)

150 Lots

- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

Not applicable.

4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

See Annexure A – particularly paragraphs 5, 6, 7 and 26

- (b) Facts and evidence relied upon in support of these claims:

See Annexure A – particularly paragraphs 5, 6, 7 and 26

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions:
(Refer to direction 8)

See Annexure A – particularly paragraphs 17-19.

6. Public detriments

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

See Annexure A – particularly paragraphs 21-25.

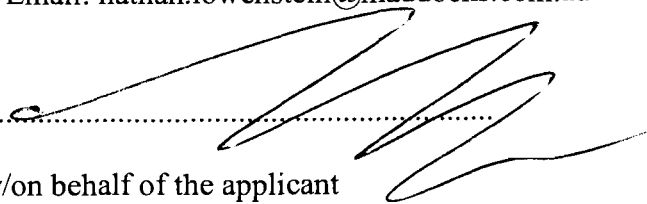
- (b) Facts and evidence relevant to these detriments:

See Annexure A – particularly paragraphs 21-25.

7. Further information

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Nathan Lowenstein
Maddocks Lawyers
140 William Street
Melbourne Vic 3000
Tel.: 8615 0328
Email: nathan.lowenstein@maddocks.com.au

Dated.....

Signed by/on behalf of the applicant

.....
(Signature)

.....
(Full Name) JAS. FRANKS MULLIGAN
140 William St Melbourne 3000

.....
(Organisation) An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004

.....
(Position in Organisation)

DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.

Annexure A

Introduction

1. Ascot Vale (Victoria) Pty Ltd ACN 106 114 121 (**AV**) is a proprietary limited company involved in the holding and development of property.
2. AV proposes to subdivide and develop approximately 420 lots of land located in Ascot Vale, Victoria (**Ascot Chase**).
3. A planning permit has been granted for the subdivision and development of 58 lots of Ascot Chase (Stage 1). A copy of this plan is attached.
4. Ascot Chase is intended to provide:
 - 4.1 a consistent and appealing appearance; and
 - 4.2 housing choices aimed at reaching a market segment which includes first home buyers, investors, singles, empty nesters, professionals and older people down-sizing; and
5. The development aims to create an environment where purchasers have the comfort of knowing how the surrounding development will appear once completed. This will be facilitated by the required selection of pre-determined design specifications.
6. The ability to choose from a select range of design specifications will also mean:
 - 6.1 purchasers are given a choice in the features and design of their home;
 - 6.2 Ascot Chase will achieve consistency in its appearance by ensuring that all houses complement each other; and
 - 6.3 each house in Ascot Chase will be constructed to ensure that the development effectively utilises the land.
7. AV will market the development as house and land packages.

Description of the conduct or proposed conduct

8. In order to ensure that Ascot Chase is developed in an orderly and consistent manner, AV proposes the use of a limited number of nominated builders to construct the houses. (**Nominated Builders**).
9. AV proposes to sell or offer for sale the majority of subdivided lots of land in Ascot Chase (**Lots**) on the condition that each purchaser concurrently enters into a separate tripartite building contract, that is a major domestic building contract (within the meaning of the *Domestic Building Contracts Act 1995* (Vic)), with the Nominated Builders and Ascot Chase Nominee Pty Ltd to construct a house on the lot purchased in accordance with a pre-determined house design. AV proposes to refuse to sell or offer for sale any of the Lots to purchasers who will not comply with this above condition (**proposed conduct**).
10. The Nominated Builders will not be permitted to alter Ascot Chase's design requirements without AV's consent. The Nominated Builders will be responsible for all construction obligations and liabilities under the tripartite building contract.
11. The proposed conduct will only occur once in respect of any sale (or subsequent sale) of a Lot. It will occur at the time of purchase, when the obligation for the purchaser to engage the

Nominated Builders is imposed under the terms of the contract of sale for the purchase of a Lot.

12. The proposed contract of sale has not yet been drafted. Subject to the proposed conduct being duly notified and cleared under section 93 of the *Trade Practices Act 1974*, it is proposed that the contract of sale for each of the Lots would contain a term to the effect detailed in paragraph 9 above.
13. AV has not yet appointed its Nominated Builders. AV is undergoing a detailed selection process to identify the Nominated Builders based upon a selection criteria including:
 - 13.1 strong project management skills;
 - 13.2 financial means to undertake a project of this size;
 - 13.3 appropriate insurance policies;
 - 13.4 registration under the *Building Act 1993* (Vic);
 - 13.5 high quality of tradesmen and sub-contractors;
 - 13.6 price;
 - 13.7 prior history of adherence to safety requirements;
 - 13.8 evidence of completing homes on time;
 - 13.9 strong professional integrity;
 - 13.10 prior history of building quality homes; and
 - 13.11 adherence to best practice residential design.
14. The tripartite building contract between each purchaser, Ascott Chase Nominee Pty Ltd and the Nominated Builders, is intended to specify, among other things:
 - 14.1 the land upon which the house will be constructed;
 - 14.2 the style of the house (including the building plan and specifications);
 - 14.3 options chosen by the purchaser (eg colour schemes, type of flooring, finishes, fixtures);
 - 14.4 the price payable by the purchaser to the Nominated Builders and the method for review of price (if required);
 - 14.5 timeframes for the construction and completion of the house, including reasonable allowances made by the Nominated Builders for possible delays in construction;
 - 14.6 the Nominated Builder's insurance details; and
 - 14.7 provisions as required by the *Domestic Building Contracts Act 1995* (Vic) for major domestic building contracts.
15. AV and the Nominated Builders will not be related companies.

Market definition

16. The proposed conduct is marketed at purchasers who are seeking real estate in or around Ascot Vale, Victoria. Ascot Vale is approximately 5-10km north west of the Melbourne CBD.
17. Ascot Chase is one of several existing or proposed residential developments in the area north west of Melbourne's CBD, which forms part of the broader metropolitan residential market of Melbourne. There are numerous choices available to potential purchasers of residential properties in the north western metropolitan area, with each development offering different prices, features and amenities.

Public detriments

18. Once AV appoints the Nominated Builders, the proposed conduct will prevent other builders from constructing houses within Ascot Chase.
19. While the proposed conduct will restrict the purchaser's choice of builder, any private detriment associated with such a restriction will be offset by the advantages those purchasers will obtain from using the Nominated Builders.
20. The proposed conduct is limited to one development in Ascot Vale. The proposed conduct will not prevent other builders from entering the market, particularly given the number of other residential developments occurring in the north western metropolitan area.
21. The proposed conduct will not have any detrimental effect on the general public.
22. The use of the Nominated Builders and pre-determined house designs will ensure consistency and efficiency in the development leading to cost savings for purchasers and visual harmony within Ascot Chase.

Public benefits of the proposed conduct

23. The proposed conduct will be of benefit to the public as:
 - 23.1 it will reach a broader market segment of first home buyers, investors, singles, professionals and older people looking to down size. It is aimed at meeting current and future trends in housing which are considered to involve a dramatic increase in demand for inner city housing with access to established community facilities and public transport;
 - 23.2 the pre-determined range of house designs on offer from the Nominated Builders will lead to cost reductions for the purchasers through:
 - 23.2.1 economies of scale and the efficient allocation of resources;
 - 23.2.2 reducing the time purchasers would otherwise need to:
 - (a) assess alternative building proposals from a variety of potential builders;
 - (b) wait for a builder's availability to commence construction; and
 - (c) wait for the issuing of a building and construction permission from the local authority.
 - 23.3 pre-determined house designs will ensure:
 - 23.3.1 houses built are appropriate for the size of the Lots;
 - 23.3.2 purchasers know that neighbouring lots will be developed to a style that complements the architecture and environment of Ascot Chase;

- 23.4 the Nominated Builders will give purchasers:
- 23.4.1 more affordable houses;
 - 23.4.2 the comfort of knowing that a reputable builder has been engaged through AV's use of a strict selection criteria to ensure the builder meets the standards for Ascot Chase; and
 - 23.4.3 greater certainty in compliance with the various planning laws, precinct controls, any specific site constraints and environmental requirements;
- 23.5 the Nominated Builders will have the assurance of receiving a volume of building work and therefore will be more likely to give further certainty to the construction price and discounts available to the purchaser;
- 23.6 the use of a major domestic building contract which specifies a timeframe in which to complete the construction of the house will ensure:
- 23.6.1 the development is completed within a certain period of time and will minimise the length of construction noise and disturbance to the occupiers of the houses; and
 - 23.6.2 purchasers are protected by the provisions in the *Domestic Building Contracts Act* 1995, which aims to maintain proper and fair building standards of building works and enable purchasers to access insurance funds if the building works are incomplete or defective;
- 23.7 purchasers will be assured that the properties in Ascot Chase are of a high quality and integrated to give consistent architectural qualities and potentially higher resale values.
- 23.8 AV will be able to select desired builders and control built form on the site to ensure **high quality** and consistency of appearance across all Lots.

Signed on behalf of the applicant:

Maddocks
Lawyers

NICHOLAS FRANÇOIS HOLBIDGE
140 William St Melbourne 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004.

Moonee Valley City Council Civic Centre 9 Kellaway Avenue Moonee Ponds
PO Box 126 Moonee Ponds Victoria Australia 3039
Telephone 03 9243 8888 Facsimile 03 9377 2100
Email council@mvcc.vic.gov.au Website mvcc.vic.gov.au
ABN 54 651 216 324

File Ref: S/6365/2007/A
Enquires: Linda Graham

30 April, 2008

COLLIE P/L
29 Conventry Street
SOUTHBANK VIC 3006

Dear Sir/Madam,

Moonee Valley Planning Scheme Application Number: S/6365/2007/A
Location: 15 Newsom Street, ASCOT VALE VIC 3032
Proposal: PS 610965F Fifty Eight (58) Lot Subdivision including construction of roads and infrastructure and creation of easements, removal of easement E-1 on Plan of Subdivision TP 219858A and removal of reserve No. 1 on LP 7423 and construction of 58 dwellings.

Your abovementioned application has been assessed and I wish to advise that an amended permit has been issued pursuant to Section 72 of the Planning and Environment Act, 1987.

Please find enclosed your Amended Planning Permit which sets out the conditions. Your attention is drawn to all of the conditions.

The conditions attached to the Permit are a very important part of the approval process and to ensure that those conditions and the endorsed plans are complied with, Council will conduct an inspection of the development.

If you have any queries regarding your application, you may contact Linda Graham of Council's Statutory Planning Office on telephone 9243 8868.

Yours faithfully,



Linda Graham
Principal Planner

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PLANNING AND ENVIRONMENT ACT 1987
Form 4

PLANNING PERMIT

PLANNING PERMIT NO: S/6365/2007/A

PLANNING SCHEME: Moonee Valley Planning Scheme

RESPONSIBLE AUTHORITY: Moonee Valley City Council

ADDRESS OF LAND: 15 Newsom Street, ASCOT VALE VIC
3032

THE PERMIT ALLOWS FOR: PS 610965F Fifty Eight (58) Lot
Subdivision including construction of
roads and infrastructure and creation of
easements, removal of easement E-1 on
Plan of Subdivision TP 219858A and
removal of reserve No. 1 on LP 7423
and construction of 58 dwellings.
In accordance with endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the plans of subdivision can be certified, three copies of amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted (with the application) but modified to show:
 - a) Easement E-1 shown in favour of City of Moonee Valley.
2. Before buildings and works associated with the dwellings for Lots 1 to 12, 24, 26 and 31 to 47 commence, three copies of amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted (with the application) but modified to show:
 - a) Provision of 1.7 metre high screens to upper level terrace associated with dwelling on Lot 24 to enable compliance with Clause 54 (Standard A15).
 - b) Correct naming of first floor level rooms for dwellings associated with Lots 26 to 47.

30/04/2008
Date Issued


Signature for the Responsible Authority

- c) Provision of detailed plans for proposed dwellings for Lot 1 and Lots 31 to 46 able to meet with Clause 54 and DPO4.
 - d) Details of any site excavation which may be required for the proposed dwellings associated with Lots 7 to 12.
 - e) Notation to show the proximity of the retaining wall to proposed dwellings on Lots 1 to 6.
3. Before buildings and works associated with the fencing to adjoin Stanford and Doncaster Streets road reserves commence, three copies of amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted (with the application) but modified to show:
- a) Detailed sample board and schedule for fencing materials associated with Doncaster and Stanford Streets. The sample board and schedule should detail colours, materials and finishes.
4. The layout of the proposed subdivision and associated buildings and works as shown on all endorsed plans, shall not be altered or modified (whether or not in order to comply with the Statute, Statutory Rule or By-Law or for any other reason) without the consent of the Responsible Authority.
5. Prior to the issue of a Statement of Compliance, roadworks and drainage shall be provided in accordance with construction plans (engineering plans) and specifications to be approved by the Responsible Authority. The plans will not be approved until a detailed streetscape plans has been prepared and approved and the location of services determined to the satisfaction of the Responsible Authority. The construction plans submitted must be consistent with the approved streetscape plan and must include:-
- a) Full construction of roads and all pavement including kerb and channel design.
 - b) Traffic control measures as approved by the Responsible Authority.
 - c) Where practicable the development is to be in accordance with the Disability Discrimination Act.
 - d) Drainage system design and layout including maintenance, the provision of Gross Pollutant Traps (GPTs), Sediment Ponds and other appropriate methods, in accordance with the Proposed Stormwater & Drainage Strategy prepared by GHD and dated November 2006.
 - e) Footpath design and construction including details in the treatment of pedestrian access through the site.

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Signature for the Responsible Authority

- f) Full details of all retaining walls.
 - g) Bicycle/pedestrian shared path design and construction.
 - h) Permanent survey marks/numbered/levelled.
 - i) Service conduit plan including fire hydrants.
 - j) Street signs to Council's standard design.
 - k) Vehicle crossings design and construction and access to lots.
 - l) The planting of advanced street trees in accordance with the Streetscape Plan(s) and erection of treeguards to appropriately protect these trees.
 - m) Appropriate mechanisms for protecting environmental and physical assets during the construction phase of the subdivision in accordance with Council requirements.
 - n) All stormwater runoff from the land is to drain via an underground drainage system to the satisfaction of the Responsible Authority.
 - o) Each lot is to have a separate drainage system and discharge point.
 - p) The discharge of water from the land shall be controlled around its limits to prevent any discharge onto any adjacent property or streets other than by means of an underground pipe drain discharged to an approved outlet in a street to an underground pipe drain.
 - q) The provision of new pedestrian path along the Stanford Street and connecting to Doncaster Street with provision for pram ramps at the corner of Sandford Street and Doncaster Street.
6. A detailed streetscape plan for all streets in the subdivision must be prepared and approved by the Responsible Authority prior to the approval of construction plans (engineering plans). The streetscape plan(s) must show:
- a) The street reserve width together with typical cross sections.
 - b) Location and material type of carriageway pavement, parking bays, kerbs, footpaths, cycle paths, vehicle entrances and traffic control devices.
 - c) Location and species of proposed trees (based on planting of advanced trees) and other landscaping.
 - d) Location of existing vegetation to be retained and proposed treatment to ensure its health.

30/04/2008
Date Issued


Signature for the Responsible Authority

- e) Details regarding the design and location of street furniture – lighting, seats, bus stops, telephone boxes, mail boxes etc.
 - f) Location of all street light poles.
7. A plan checking fee of 0.75% together with a construction supervision fee of 2.5% of the estimated cost of the civil construction works must be paid to Council.
 8. All service locations are to be verified by the designer/developer and minimum clearances between services are to be met at all times and in accordance with AS3500.3.2:1998 Section 7.2.7. Council takes no responsibility for services that are in conflict with the proposed drainage alignment.
 9. A Public Lighting Plan for all new street showing street lighting provided with power supply to each light underground. Street lighting is to be provided to the Australian Standard for residential street lighting.
 10. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Responsible Authority's standard specification and any vehicle crossing/s no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority.
 11. All costs associated with the design, construction and contract administration of drainage and other engineering works are to be met by the developer of the land, to the satisfaction of the Responsible Authority.
 12. In regard to drainage and the dwellings hereby approved, the discharge of water from the individual lots approved under this permit shall be controlled around their limits to prevent any discharge onto any adjacent property or streets other than by means of an underground pipe drain discharged to an approved outlet in a street to an underground pipe drain.
 13. Prior to the issue of a Certificate of Occupancy for the approved dwellings, a canopy tree must be provided to each lot unless otherwise consented to in writing by the Responsible Authority.
 14. The buildings and works associated with the construction of the dwellings approved under this permit must not commence until the works approved under Planning Permit No. MV/17727/2006 (Construct and carry out works for a fill platform, Stage 1, Ascot Chase development) has been satisfactorily completed.

Tenex Conditions

15. Easements in favour of SPI Networks (Gas) Pty Ltd must be created on the plans to the satisfaction of SP AusNet (Gas).

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Date Issued


Signature for the Responsible Authority

16. The Plan of subdivision submitted for certification must be referred to SP AusNet (Gas) in accordance with Section 8 of the Subdivision Act 1988.

Melbourne Water Conditions

17. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation, for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways and other matters in accordance with the powers of Melbourne Water Corporation under the Water Act 1989.
18. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
19. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.
20. All new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with the Maribyrnong River and 300mm above the 1 in 100 year flood level associated with the Ascot Vale Main Drain.
21. Cut and fill works within the floodplain are not to result in a loss of the floodplain storage for more the 5,000 cubic metres at any one time.
22. A Certified Survey Plan, showing levels reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the proposed finished surface levels have been attained.
23. Flow paths are to be maintained for Walter Street and along the proposed road networks at right angles to Doncaster Street. The road network is to be included in survey to ensure they are not filled above the existing level of Doncaster Street.
24. Prior to the commencement of works, a Storm Water Management Strategy must be submitted to the Responsible Authority and Melbourne Water for approval. The strategy must show inclusion of permanent on-site stormwater quality.
25. At least 21 days prior to commencement of works a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
26. Finished floor levels must be constructed to a minimum of 600mm above the 1 in 100 year flood level associated with the Maribyrnong River and 300mm above the 1 in 100 year flood level associated with the Ascot Vale Main Drain.

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Date Issued


Signature for the Responsible Authority

27. Prior to commencement of works separate application, direct to Melbourne Water, must be made for any new or modified storm water connection to Melbourne Water's drains and watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system. Contact Asset Services on telephone 9235 1414 for Melbourne Water's connection requirements, including payment of appropriate fees.

City West Water Conditions

28. It is essential the owner of the land enters into an agreement with the City West Water for the provision of water supply.
29. It is essential the owner of the land enters into an agreement with City West Water for the provision of sewerage.
30. Prior to certification, the plan of subdivision must be referred to City West Water, in accordance with Section 8 of the Subdivision Act 1988.
31. Before starting works separate application, direct to Melbourne Water, must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.
32. This permit will expire if:
- a) Construction of the dwellings is not started within two years of the date of this permit.
 - b) The plan of subdivision is not certified within two years of the date of this permit.
 - c) Construction of the dwellings is not completed within four years of the date of this permit.
 - d) The registration of the subdivision is not completed within five years of the date of this permit.

The Responsible Authority may extend these time limits if a request is made in writing before the permit expires or within three months afterward.

Planning footnotes

This is not a building permit. A separate building permit may be required to be obtained for any demolition or buildings and works.

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Signature for the Responsible Authority

Before commencement of the development occurs, the applicant shall contact the Moonee Valley City Council's Contract and Management Department regarding legal point of discharge, new crossings, building over easements etc.

Telstra footnotes

Telstra Notes: Approval does not cover alterations to existing Telstra Plan or Network. Locations of existing network can be obtained from Dial Before You Dig – Ph: 1100

For co-ordinated Telstra plan reticulated in this development, please refer to www.telstrasmartcommunity.com to Register your Development and Apply for Reticulation.

Melbourne Water footnotes

Melbourne Water Notes: If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9235 2517, quoting Melbourne Water's reference 138766.

This permit was amended on the 30 April 2008 pursuant to Section 72 of the Planning and Environment Act, 1987 and includes a change to what the permit allows, the insertion of Conditions 2, 3, 12, 13, 14 and 26 and the subsequent re-numbering of all conditions, modification of Condition 4 and the insertion of two planning footnotes.

30/04/2008
Date Issued


Signature for the Responsible Authority