

PLANNING PERMIT

Permit No.:	PA2402972
Planning scheme:	Wyndham Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	413-418 Ballan Road, Wyndham Vale

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
37.07-1	Construction of a two-storey building associated with an existing education centre
37.07-1	Construct or carry out building or works associated with a use in Section 2

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Development Plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority 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 generally in accordance with the plans titled "Christway College Wyndham, New Gymnasium 418-438 Ballan Road, Wyndham Vale, VIC Planning Application Issue", dated 5 June 2024 and 16 August 2024, but modified to show:
 - a) Details of initiatives contained within the Endorsed Sustainability Management Plan (SMP), including any amendments specified in condition 2 and the following:
 - i. External shading devices that are effective in reducing unwanted summer solar gain, provided to west-facing glazing to the Sports Hall;
 - ii. A Landscape Plan that identifies any impervious surfaces, water-efficient landscaping and/or irrigation strategy;
 - iii. WELS ratings of plumbing fixtures;
 - iv. Commitment to all-electric development with no gas connection;
 - v. Window operability;
 - vi. Glazing Visible Light Transmission to align with daylight assessment assumptions;

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- vii. Mechanical ventilation commitments;
- viii. Depth (projection) of roof overhangs, dimensioned on floorplans;
- ix. Ceiling fans;
- x. Low VOC and low formaldehyde internal finishes;
- xi. Sustainable materials commitments;
- xii. Commitment to recycling or reusing 90% of construction and demolition waste;
- xiii. Provision of separate recycling bins for each classroom; and
- xiv. Any other changes as per the amended SMP.

Submission of Amended Sustainability Management Plan (SMP)

2. Before the development commences, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of the permit. The SMP must be generally in accordance with the SMP dated 10 May 2024 but modified to show:

- a) Preliminary JV3 energy modelling provided to demonstrate that energy efficiency requirements are met without relying on solar generation to offset thermal envelope performance. BESS Energy profile inputs must be updated accordingly;
- b) A daylight assessment to demonstrate that at least 40% of the floor area of Regular Use Areas achieves a Daylight Factor of 2 % or above, per SMP commitments;
- c) A breeze path diagram showing areas meeting the BESS criteria for Effective Natural Ventilation;
- d) Details of any irrigation strategy for the proposed area of landscaping;
- e) The STORM report amended so that:
 - i. All areas of proposed paving are entered, including 'Proposed Pavement' areas shaded orange in the Proposed Site Plan;
- f) The BESS report amended so that:
 - i. The Servery, Staff Room and Mezzanine are included in the Non-Residential Spaces;
 - ii. The Unconditioned Sports Hall is entered as 'Unconditioned Showroom/Machine Shop' and all other spaces are entered as 'Public Building';
 - iii. The floor area for the Science Classroom is corrected;
 - iv. WELS ratings for the proposed showers is included in the Water Profile;
 - v. Water credit 3.1 is amended to reflect any irrigation strategy for the proposed landscaped areas;
 - vi. A minimum score of 50% Overall is maintained and minimum 'Pass' scores for Energy, Water, Stormwater and IEQ categories are achieved.

Compliance with Documents Approved Under This Permit

3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

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Heritage Planning

2. All works must be undertaken in accordance with the conditions of approved Cultural Heritage Management Plan 16127 (Amended 2021).

Landscaping Completed and Maintained

3. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.

Environmental Planning

4. Tree protection fencing must be erected around the canopy area of all trees to be retained on or adjacent to works prior to the commencement of works. The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.

Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:

- a) vehicular or pedestrian access
- b) trenching or soil excavation
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d) entry and exit pits for underground services
- e) any other actions or activities that may result in adverse impacts to retained tree(s).

General Exterior Treatment

5. The exterior treatment of the building(s) permitted by this permit including all exterior decoration, materials, finishes and colours must be to the satisfaction of the Responsible Authority. All tilt slab or precast concrete buildings must be painted, treated and textured to the satisfaction of the Responsible Authority. The exterior treatment of the building(s) must be maintained to the satisfaction of the Responsible Authority.

Construction Phase

6. All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality. Measures must be taken to suppress dust, noise or other emissions during construction to prevent nuisance to surrounding neighbours.



Stormwater from a Building

7. The building and landscaped area applicable to this approval, including landscaped and paved areas, must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

Commencement

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

Expiry of Permit

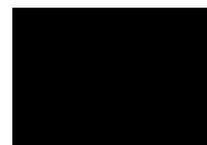
9. The development component of this permit will expire if:
- The development is not started within two (2) years of the date of this permit; or
 - The development is not completed within four (4) years of the date of this permit.

Pursuant to Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend:

- The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.
- The completion date referred to if a request is made in writing within twelve (12) months after the permit expires and the development started lawfully before the permit expired.

USEFUL INFORMATION: (the following information does not form part of this permit)

- The permitted use or development may need to comply with, or obtain the following further approvals:
 - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
 - A building permit under the *Building Act 1993*.



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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - ii. the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date issued: 16 September 2024 Signature for the responsible authority:

