

PLANNING PERMIT

Permit No.:	PA2503984
Planning scheme:	Hobsons Bay Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	101-133 Maidstone Street, Altona

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
32.07-9	Construct a building or construct or carry out works associated with a Section 2 Use - Education Centre.
44.04-2	A permit is required for works associated with the upgraded surfacing of the playing fields.
52.05-13	A permit is required to construct and display illuminated business identification signage

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit.

1. 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.

Layout not altered.

2. The layout of the use and development must not be altered from the layout shown on the approved and endorsed plans without the written consent of the responsible authority.

Approved Plans

3. Before the development starts, excluding demolition, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible

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authority, be drawn to scale with dimension, be generally in accordance with the plans prepared by Y2 Architecture. Rev 2, dated 29/09/2025 but amended to show the following details:

- a) Any changes required by the Stormwater Management Plan.

Landscaping

4. Concurrent with the endorsement of plans, the Landscape Plan prepared by PTA Landscapes, Rev 05, dated 16/10/ 2025 must be approved by the Responsible Authority. The landscape plans must not be altered without the prior written consent of the Responsible Authority.

Landscaping completion

5. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the Responsible Authority.

General Amenity

6. The amenity of the area must not be detrimentally affected by the use(s), including through:
- The transport of materials, goods or commodities to and from the land;
 - The unsightly appearance of any buildings, works or materials;
 - The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waster water, waste products, grit or oil; or
 - The presence of vermin;

To the satisfaction of the Responsible Authority.

Run-off

7. Polluted and/or sediment laden run-off must not be discharged directly into or indirectly into City of Casey drains or watercourses.

Drainage

8. The land must be drained to the satisfaction of the City of Hobsons Bay (the Council).

Environmentally Sustainable Design (ESD)

9. Before the development starts, a sustainability management plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the specific the Sustainability Management Plan (SMP) Statement prepared by BRT Consulting Engineers, dated 01/10/2025 and must include the following:

- a) Any changes required by the Stormwater Management Plan.

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10. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed report in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Stormwater Management Plan

11. Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must be prepared to the satisfaction of the responsible authority, and must include:
- a) Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
 - b) Set out how the stormwater management system will be managed on an ongoing basis.
 - c) Demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will
 - d) meet the objectives in the planning scheme, including modelling and calculations.

Construction Management Plan

12. Prior to any works commencing on the land a 'Construction Management Plan' (CMP) must be prepared to the satisfaction of the responsible authority, detailing how the owner will manage the environmental and construction issues associated with the development. The CMP may be prepared and approved in stages relating to early works and main works. The CMP when approved will form part of the permit and must be implemented to the satisfaction of the responsible authority. The CMP must address:
- a) The contact name and phone number(s) of the site manager;
 - b) The extent of bulk excavation in proximity to Council assets;
 - c) Management of the construction site;
 - d) Land disturbance;
 - e) Hours of construction, including program/duration of works;
 - f) Noise;
 - g) Control of dust;
 - h) Public safety;
 - i) Traffic and pedestrian management;
 - j) Construction vehicle road routes and access to the site;
 - k) Largest vehicle expected to the site;
 - l) Soiling and cleaning of roadways;

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- m) Discharge of any polluted water;
 - n) Security fencing, disposal of site waste and any potentially contaminated materials;
 - o) Construction material set-down and storage areas;
 - p) Location of site offices, and onsite staff parking; and
 - q) Site lighting during any night works.
13. When submitted and approved to the satisfaction of the responsible authority, the CMP will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the responsible authority.

Noise Control

14. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time)

Signage

15. The business identification signage, as shown on the endorsed plans, must always be maintained in good order and condition, to the satisfaction of the responsible authority.
16. The sign(s) must not be animated or contain any flashing or intermittent light.
17. The sign lighting must be designed, baffled and located to prevent any adverse effect of light spill on adjoining land to the satisfaction of the responsible authority.
18. This permit, in relation to the signs hereby approved, will expire in 15 years from the date of the permit and signs and all supporting structures must be removed and the surface made good to the satisfaction of the responsible authority, within one month of the expiry date.

Lighting

19. External lighting must be designed, baffled and located so as to prevent any adverse effects on adjoining land to the satisfaction of the responsible authority.

General Amenity Provision

20. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products.

To the satisfaction of the responsible authority.

Melbourne Water Conditions

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21. The proposed building must be constructed with finished floor levels set no lower than 3 metres to Australian Height Datum (AHD), which is 600mm above the applicable flood level of 2.4 metres to AHD.
22. The layout of buildings and works as shown on the plans must not be altered without prior written consent from Melbourne Water.
23. The building setbacks shown to site boundaries must not be further reduced without the written approval of Melbourne Water, to ensure adequate open space areas to allow for the passage of overland flood flow.
24. A Build Over application must be submitted for Melbourne Water's review and approval prior to finalising plans and prior to construction or demolition of existing structures, or tree removal within 5 metres of a Melbourne Water asset (Laverton Main Drain).
25. Landscaping within 5.0 metres of the asset must comply with Melbourne Water's Planting Guidelines. A Plant near sewers, drains, waterways and water mains application detailing landscaping must be submitted for approval.
26. New or modified stormwater connection should be made to Council's drainage system. If connection cannot be made to Council's system a separate application must be submitted for approval for stormwater connection or alteration to Melbourne Water's drainage system.

VicTrack Conditions

27. No entry to railway land is permitted without the written consent of VicTrack.
28. Before the commencement of the development, including bulk excavation, a Construction Management Plan must be submitted to the Responsible Authority and approved in consultation with VicTrack. The Construction Management Plan must include details of (but not limited to) management proposals to minimise impacts to VicTrack assets and the operation of the railway during construction and must set out relevant objectives and performance and monitoring requirements for:
 - a) A comprehensive scope of work including demolition.
 - b) Access to the rail environment, including designation of any areas to be used under licence during the construction process.
 - c) Approvals and permits required from VicTrack and the accredited Rail Operator prior to works commencing and prior to accessing the rail land.
 - d) Rail safety requirements applicable for construction.
 - e) Protection of all rail infrastructure to ensure rail infrastructure is not damaged during demolition or construction.
 - f) Minimising disruption to train services and railway commuter access.

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- g) Management of drainage, effluent, material stockpiles, fencing, hoardings to ensure VicTrack land is not used for, or impacted on by these activities outside of the licence area.
- h) Public safety, amenity and site security.
- i) Operating hours, noise and vibration controls.
- j) Air and dust management.

All demolition and construction works must be carried out in accordance with the approved Construction Management Plan. The Construction Management Plan must be implemented at no cost to VicTrack.

- 29. Before the commencement of the development, including demolition or bulk excavation, the Rail Operator must be contacted through the email address: metrositeaccess@metrotrains.com.au to obtain the Rail Operator's conditions and safety requirements for works on, over or adjacent to the railway land. During and post construction, all conditions and safety requirements of the Rail Operator must be complied with.
- 30. At all times the common boundary with the railway land must be fenced with a 1.8m paling or black chain mesh fence and must be repaired and maintained, all at no cost to VicTrack to prohibit unauthorized access to the rail corridor.
- 31. Any replacement, repair or reconstruction of any fence on the boundary to railway land must be in accordance with VicTrack's requirements.
- 32. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.
- 33. The development's landscaping and planting must be setback to ensure tree canopy does not extend over railway land.

Commencement

- 34. This permit will operate from the issued date of this permit.

Expiry

- 35. This permit will expire if one of the following circumstances apply:

- a) The development is not started within 3 years of the issued date of this permit.
- b) The development is not completed within 5 years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

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

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

Date of extension	Brief description of the extension	Duration of extension

Notes:

(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:

- These notes are provided for information only and do not constitute part of the permit or conditions of this permit.
- Further approvals from Council will be required for the removal of any Council managed street trees and checking of drainage plans. Please contact Council's Trees and Drainage and Design Services units on 1300 179 944.
- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

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- The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- A building permit under the *Building Act 1993*.
- Paths, access ramps and Tactile Ground Surface Indicators to be installed in accordance with DDA requirements and the relevant Australian Standards.

Melbourne Water Notes:

Flood Information

The site is identified as being subject to flooding from two sources, Laverton Creek (LSIO) and form coastal inundation (Sea Level Rise) in the year 2100.

The subject site is also affected by flooding from tidal inundation due to Sea Level Rise for the year 2100. The applicable flood level for this property due to sea level rise is 2.4 metres to Australian Heigh Datum (AHD).

Accordingly, the applicable Nominal Flood Protection level (NFPL) for the site would be 3.0 metres AHD.

Melbourne Water, in its role as the relevant floodplain management authority, is required to consider both flood risk arising from the local drainage system as well as sea level rise of not less than 0.8 metres by 2100, as required by Clause 13.01-2S.

Asset Information

Melbourne Water's Laverton Main Drain is located within the subject site, running through the centre of the site. the drain consists of a 675mm reinforced concrete drain constructed in 1967.

A Build Over application must be submitted for Melbourne Water's review and approval prior to finalising plans and prior to construction or demolition of existing structures, or tree removal within 5.0 metres of a Melbourne Water asset.

The building/structure including footings, eaves etc. must be set outside an easement or a minimum 1.8 metre laterally clear of the outside edge of the Melbourne Water Asset, whichever is greater.

The depth of the footings must be adequate to satisfy the angle of repose relative to the drain in accordance with Melbourne Water's specification. Refer to:

<http://www.melbournewater.com.au/Planning-and-building/Forms-guidelines-and-standard-drawings/Documents/Angle-of-repose-diagram.pdf>

A build over application can be submitted online via the following link: Apply to build near an asset or easement.

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Any new landscaping within 5 metres of the asset will need to comply with Melbourne Water's Planting Guidelines. A Plant near sewers, drains, waterways and water mains application detailing of any landscaping will need to be submitted. For more information or to apply please refer to: Planting guidelines Melbourne Water.

Cut and fill earthworks to alter existing levels (or repaving) must include the following:

- A minimum 850mm vertical cover must be maintained over the pipeline.
- The maintenance hole/junction pit located on Melbourne Water's drain must not be covered over by the works.
- Access maintenance holes 4080/MH004-006 are required to be lowered/raised in accordance with Melbourne Water standard drawing 7251/08/417 to the finished surface level.
- *Note: This standard is only applicable for reinforced concrete pipes, with lowering depths up to 500mm and raise heights up to 300mm only. Manhole material and depths outside of this range is to be designed from first principles by a qualified structural engineer and submitted to Melbourne Water for review.*

New or modified stormwater connection must be made to Council's drainage system. If connection cannot be made to Council's system a separate application must be submitted for approval for stormwater connection or alteration to Melbourne Water's drainage system (i.e. junction pits). Evidence must be provided by Council regarding the legal point of discharge.

A stormwater connection application can be submitted online via the following link:

<https://www.melbournewater.com.au/building-and-works/work-or-build-near-our-assets-or-easements/stormwater-connection-guidelines>

No services are to be installed across a Melbourne Water Asset, within an easement or owned land that are in favour of Melbourne Water unless approve by Melbourne Water. A separate Utility Installation application must be submitted.

A utility installation application can be submitted online via the following link:

<https://www.melbournewater.com.au/building-and-works/work-or-build-near-our-assets-or-easements/utility-installation-guidelines>



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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

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.

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