

PLANNING PERMIT

Permit No.:	PA2604266
Planning scheme:	Whitehorse Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	724-728 Whitehorse Road, Mitcham

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.08-9	Construct a building or construct or carry out works for a residential aged care facility
42.02-2	Remove, destroy or lop vegetation
42.03-2	Construct a building or construct or carry out work, remove, destroy or lop vegetation; and construct a fence
52.05-2	Construct or put up a sign for display in Section 2
52.17-1	Remove, destroy or lop native vegetation
52.37	Remove, destroy or lop a canopy tree

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.

Commencement

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

Approved and endorsed plans

3. Before the development starts, excluding demolition, bulk excavation and site preparation works, detailed development plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be

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Signature for the responsible authority:



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drawn to scale with dimensions and be generally in accordance with the Architectural Plans, prepared by VIA, Drawing Nos. TP00-000 (Rev TP10), TP00-001 (Rev TP5), TP00-002 (Rev TP7) TP00-003 (Rev TP7), TP10-000 (Rev TP9), TP10-001 (Rev TP9), TP10-002 (Rev TP9), TP10-003 (Rev TP8), TP10-004 (Rev TP7), TP40-001 (Rev TP9), TP41-001 (Rev TP8), TP60-001 (Rev TP1) and the Signage Plans, prepared by Knowles Group, dated 25 June, but amended to show the following details:

- a) Design details of the substation, ensuring it is integrated into the overall design of the development.
- b) The signage plans to include a notation stating the internally illuminated pylon sign adjacent to the basement accessway will be turned off between 11pm and 6am each night.
- c) Details of an accessible pedestrian route to the building entry, which may be shared with the porte cochere, including any line marking or surface treatments.
- d) The total capacity of the solar roof top PV array system noted on the roof plan consistent with the sustainability management plan.
- e) A final consolidated schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. The schedule must be generally in accordance with the detailed contained in the Design Response, prepared by VIA, dated February 2026, and must include materials and design details of:
 - i. The acoustic screening proposed to roof level plant platform;
 - ii. Balustrades; and
 - iii. The fixed, no more than 25% transparent screening to relevant terraces.
- f) Tree Protection and Structural Root Zones of retained trees shown on the ground floor plan.
- g) Any changes required by the Landscape Plan.
- h) Any changes required by the Tree Protection Management Plan.
- i) Any changes required by the Car Parking and Traffic Management Plan.

Layout not altered

- 4. The development as shown on the endorsed plans must not be altered (unless the Whitehorse Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Architects to be retained

- 5. Except with the written consent of the responsible authority, VIA Architects must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans.

Landscape plan

- 6. Concurrent with the endorsement of plans, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Landscape

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Plans prepared by John Patrick Landscape Architects, dated 4 March 2026, but amended to show the following details:

- a) Permeable materials incorporated for paths within the TPZ of any retained trees.
- b) Final details of surface finishes of pathways and driveways.
- c) Details regarding how proposed landscaping and planting will facilitate the vehicle sightlines to and from the basement accessway as detailed in the Traffic and Parking Management Plan.
- d) Details of the stormwater re-use response contained with the sustainability management plan and BESS report that rainwater collected in the 20,000 litre tank will be connected to irrigation for re-use.
- e) A maintenance plan which includes ongoing maintenance schedule during the establishment period and after the initial 52-week period (including weed, pest management, succession planting, re-mulching, plant nutrition, hygiene, and replacement timeframes for poorly performing vegetation.
- f) Any changes required to ensure consistency with the Tree Protection Management Plan.

Completion of landscaping

7. Before the development is occupied, the landscaping shown on the approved landscape plans must be carried out and completed.

Landscaping maintenance

8. At all times the landscaping shown on the approved landscape plans must be maintained (including the of any dead, diseased or damaged plants) to the satisfaction of Whitehorse City Council.

Environmentally Sustainable Design

9. Concurrent with the endorsement of plans, 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 and be generally in accordance with the SMP, prepared by Lincoln Pearce, dated 17 October 2025.

Implementation of ESD Initiatives

10. Within six months of the occupation of the development, a report from the author of the endorsed SMP (or an equivalent qualified ESD consultant) must be approved and endorsed by the responsible authority. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed report, to the satisfaction of the responsible authority.

Traffic and parking management plan

11. Concurrent with the endorsement of plans, a traffic and parking management plan must be approved and endorsed by the responsible authority in consultation with Whitehorse City Council. The traffic and parking management plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Traffic and Transport Assessment prepared Traffic Engineering Assessment, prepared by OneMile Grid, dated 24 February 2026 and must include:



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- a) Any changes to ensure consistency with the architectural plans.
 - b) The basement access ramp provided with a convex mirror, or an alternative traffic measures to assist with the vehicle movement, in addition to the maintained sightlines.
 - c) Details of the line marking of all parking and loading areas, distinguishing between parking, pick-up/drop-off zones, loading bays and associated manoeuvring areas.
 - d) Details of an accessible pedestrian route to the building entry, which can be shared with the porte cochere, including line marking or surface treatments.
12. Before the development is occupied, the areas set aside for the parking of vehicles and access lanes shown on the endorsed plans must be:
- a) Constructed.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Sealed with a concrete or asphalt surface.
 - d) Drained.
 - e) Line marked to indicate each car parking space, all access lanes and pedestrian paths.
 - f) Clearly marked to show the direction of traffic along access lanes and driveways.
- Car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of Whitehorse City Council.

Waste Management Plan

13. Concurrent with the endorsement of plans, a Waste Management Plan must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Waste Management Plan, prepared by OneMileGrid, dated 27 May 2026.
14. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of Whitehorse City Council.

Tree Protection Management Plan

15. Concurrent with the endorsement of plans, a tree protection management plan must be approved and endorsed by the responsible authority in consultation with Whitehorse City Council. The TPMP must be prepared by a suitably qualified arborist in accordance with *AS4970-2009 Protection of trees on development sites*, must be generally in accordance with the Arboricultural Impact Assessment, prepared by Sustainable Tree Management, Version 2, dated 12 November 2025, and must include:
- a) A tree protection plan (scale drawing) with a notation referring to the tree management plan that provides details of:
 - i. The tree protection zone and structural root zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the tree protection zone falls partially within the subject site.



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- ii. The location of tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
- b) Specifications for tree protection fencing and/or ground protection, including but not limited to:
 - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
 - ii. Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the responsible authority.
 - v. All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the responsible authority.
 - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.
- c) Appointment of a project arborist detailing their role and responsibilities.
- d) Monitoring and certification by the project arborist of implemented tree protection measures, including the following specifications:
 - i. Specify that the project arborist must supervise all approved works (including site demolition) within the TPZs of all trees shown to be retained on the endorsed plans. Any root severance must be approved and undertaken by the project arborist using clean, sharp and sterilised tree root pruning equipment. There must be no root severance within the SRZ of any tree shown on the endorsed plans.
 - ii. Specify that the project arborist and builder must ensure that TPZ Fencing Conditions are being adhered to throughout the entire building process, including site demolition, levelling and landscape works.
- e) How excavation impacts, including soil level changes, on trees to be retained will be managed.
- f) Proposed footings and construction methods for any buildings or structures within the tree protection zone nominated on the tree protection plan.
- g) Maintenance of the area(s) within the tree protection zone in accordance with AS4970-2009.
- h) Any pruning to be undertaken being in accordance with AS4373-2007.



- i) Specify that buildings and works (including retaining walls) that extend into the TPZ of any existing tree must be done by hand, hydro excavation or air spading under the supervision of an arborist. If any roots are encountered, the posts or works protruding into the ground must be relocated a minimum of 300mm from these roots.
- j) Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the tree protection plan.

Erection of tree protection fencing in accordance with the Tree Protection Management Plan

16. Before the development starts, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved tree protection management plan and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of Whitehorse City Council.

Maintenance of tree protection fencing and exclusion of activities within fencing

17. At all times during the carrying out of the development:
- a) the tree protection fencing and ground protection measures must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites* to the satisfaction of the responsible authority and Whitehorse City Council.
 - b) development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing.

to the satisfaction of the responsible authority and Whitehorse City Council.

Street trees

18. Existing street trees must not be removed or damaged except with the written consent of Whitehorse City Council.
19. If any damage to Council trees occurs during the building works, full amenity value of the trees will be charged to the applicant. If any trees have to be removed as a part of this project, amenity value of the trees has to be paid in full to Whitehorse City Council prior to the commencement of works.

Native Vegetation Offsets

20. To offset the removal of 0.071 hectares of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:
- a) A general offset of 0.012 general habitat units:
 - i. located within the Melbourne Water (CMA) or Whitehorse City Council (LGA); and
 - ii. With a minimum strategic biodiversity value score of at least 0.08.
21. Before any native vegetation is removed, evidence that the offset required by this permit has been secured, must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:



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- a) Credit extract(s) allocated to the permit from the Native Vegetation Credit Register; and/or
- b) An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

Stormwater Management Plan

- 22. Before the development starts, excluding demolition, bulk excavation and site preparation works, a stormwater management plan must be approved and endorsed by Whitehorse City Council. The stormwater management plan must be prepared to the satisfaction of Whitehorse City Council and be generally in accordance with the Stormwater Management Plans, prepared by Lanigan Civil, Rev A, dated, but amended to show the following details:
 - a) Connection to the Council nominated Legal Point of Discharge.
 - b) Stormwater management strategies to mitigate the impacts of pollutants at risk of entering the stormwater system during construction.
- 23. The stormwater management system approved by Whitehorse City Council and included in the stormwater management plan must be constructed, managed and maintained to the satisfaction of Whitehorse City Council.
- 24. Before the development is occupied, a stormwater drainage system, incorporating water sensitive urban design, must be constructed for the development and provisions made to connect this system to Whitehorse City Council's underground stormwater drainage system and, where necessary, upgrade the system to accept the discharge from the site in accordance with plans and specifications first approved by Whitehorse City Council.

Drainage

- 25. The qualified civil engineer when undertaking civil design must ensure that the landscape plan/s and drainage plan/s are compatible. The stormwater drainage and on-site detention system must be located outside the tree protection zone (TPZ) of any trees to be retained.
- 26. Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.
- 27. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of Whitehorse City Council.

Construction management plan (CMP)

- 28. Before the development starts, including bulk excavation and site preparation works, a Construction Management Plan must be approved and endorsed by Whitehorse City Council. The CMP must be prepared to the satisfaction of Whitehorse City Council and must address the following:
 - a) How the owner will manage the environmental and construction issues associated with the development; and
 - b) The City of Whitehorse Construction Management Plan Guidelines.



Legal agreement – Affordable Housing

29. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsibility authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing affordable housing contribution by way of either of the following options:
- a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.
 - b) An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority

The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

Development Contributions

30. Unless otherwise agreed in writing by Whitehorse City Council, a Development Infrastructure Levy in accordance with the approved Development Contributions Plan which applies to the land must be paid to Whitehorse City Council as the Collecting Agency not more than 21 days prior to the grant of a building permit under the *Building Act 1993* or the commencement of development of any buildings and works associated with the permitted development, whichever occurs first; or the owner must enter into an agreement with Whitehorse City Council as the collecting agency to pay the Development Infrastructure Levy within a time specified in the agreement.
31. Unless otherwise agreed in writing by Whitehorse City Council, a Community Infrastructure Levy must be paid to Whitehorse City Council as the collecting agency in accordance with the approved Development Contribution Plan which applies to the land prior to the issue of a building permit under the *Building Act 1993*; or the owner must enter into an agreement with Whitehorse City Council as the collecting agency to pay the Community Infrastructure Levy within a time specified in the agreement.

Loading / unloading

32. The loading and unloading of goods from vehicles must only be carried out on the land within the designated basement loading bay and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

Vehicle crossovers and infrastructure

33. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, nature strip, kerb and channel to the satisfaction of Whitehorse City Council.
34. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of Whitehorse City Council.



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35. Any relocation of pits or power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the responsible authority, at the cost of the owner/developer
36. Any signage and line marking in front of the property affected by works are to be reinstated by and at the cost of the applicant.
37. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent.
38. Unless otherwise shown on the endorsed plans, all pipes, fixtures, fittings vents, plant and equipment servicing any building on the land (excluding storm water down pipes, guttering and rainheads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Signs not to be altered

39. The location and details of the signs, and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.

No moving or flashing light

40. The signs must not be animated or contain any flashing or intermittent light.

Light emissions

41. The internally illuminated pylon sign located adjacent to the basement accessway must be turned off between 11pm and 6am each night.
42. 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.

Sign maintenance

43. The signs, including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority.

Sign expiry

44. This planning permit, as it relates to signage, shall expire on the cessation of the use associated with the signage hereby permitted.
45. Upon expiry of this planning permit, as it relates to signage, the sign and structures built specifically to support it must be removed.

Noise control

46. 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) as measured in accordance with the Noise Protocol to the satisfaction of Whitehorse City Council.
47. All mechanical exhaust systems for the car park hereby approved must be located and sound attenuated to prevent unreasonable noise to the occupants of the surrounding properties, to the satisfaction of the responsible authority.

Lighting control



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48. Lighting must be located, directed and shielded and of limited intensity such that no unreasonable light or glare is emitted beyond the site to the satisfaction of Whitehorse City Council.

General amenity

49. The amenity of the area must not be detrimentally affected by the development, including through:
- a) The 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, grit or oil
 - d) presence of vermin
- to the satisfaction of the responsible authority and Whitehorse City Council.

Expiry – use and development

50. This permit will expire if one of the following circumstances applies:
- a) The development is not started within three years of the issued date of this permit.
 - b) The development is not completed within five years of the issued date of this permit.
- In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve 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*.

Whitehorse City Council:

- All stormwater drains must be connected to a legal point of discharge in accordance with the requirements of Council's Engineering Department.
- The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.
- The Applicant/Owner is to accurately survey and identify on the design plans all assets in public land that may be impacted by the proposed development. The assets may include all public authority services (i.e. gas, water, sewer, electricity, telephone, traffic signals etc.) and the location of street trees or vegetation. If any changes are proposed to these assets then the evidence of the approval is to be submitted to Council and all works are to be funded by



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the Applicant/Owner. This includes any modifications to the road reserve, including footpath, naturestrip and kerb and channel.

- As-constructed drawings prepared by a Licensed Land Surveyor are to be provided to Council after the completion of civil works prior to Statement of Compliance or occupation.
- The Applicant/Owner must obtain a certificate of hydraulic compliance from a suitably qualified civil engineer to confirm that the on-site detention works have been constructed in accordance with the approved plans, prior to Statement of Compliance is issued.
- Waste collections for the commercial aspect of this development are to be completed internally by Private waste collection contractor.
- Council issued bins will not be required for the commercial aspect of this development.
- Waste collection vehicles are to enter and leave the developed site in a forward direction.
- The design and construction of the stormwater drainage system up to the point of discharge from an allotment is to be approved by the appointed Building Surveyor. That includes the design and construction of any required stormwater on-site detention system. The Applicant/Owner is to submit certification of the design of any required on-site detention system from a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register or approved equivalent) to Council as part of the civil plans approval process.
- The requirement for on- site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.
- All proposed changes to the vehicle crossing are to be constructed in accordance with the submitted details, Whitehorse Council's – Vehicle Crossing General Specifications and standard drawings.
- To gain consent from the relevant Council Departments for any proposed works within the road reserve, please contact Council's Asset Engineering Department on 9262 6177, and Parks and Recreation Arborist on 9262 6222.
- There is to be no change to the levels of the public land, including the road reserve or other Council property as a result of the development, without the prior approval of Council. All requirements for access for all-abilities (Disability Discrimination Access) are to be resolved within the site and not in public land.
- No fire hydrants that are servicing the property are to be placed in the road reserve, outside the property boundary, without the approval of the Relevant Authority. If approval obtained, the property owner is required to enter into a S173 Agreement with Council that requires the property owner to maintain the fire hydrant".
- The Applicant/Owner is responsible to pay for all costs associated with reinstatement and/or alterations to Council or other Public Authority assets as a result of the development. The Applicant/Owner is responsible to obtain all relevant permits and consents from Council at least 7 days prior to the commencement of any works on the land and is to obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets. Adequate protection is to be provided to Council's infrastructure prior to works commencing and during the construction process.



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- Council requirements for reinstatement of civil assets are to be determined prior to approval of Construction Management Plan, and based on the approved Traffic Management Plan, to be confirmed with the developer/contractor. The developer/contractor is to contact the Engineering Asset Team to confirm the reinstatement conditions.
- The qualified civil engineer when undertaking civil design must ensure that the landscape plan/s and drainage plan/s are compatible. The stormwater drainage and on site detention system must be located outside the tree protection zone (TPZ) of any trees to be retained.
- Existing street trees must not be removed or damaged except with the written consent of the Responsible Authority.
- If any damage to Council trees occurs during the building works, full amenity value of the trees will be charged to the applicant. If any trees have to be removed as a part of this project, amenity value of the trees has to be paid in full to the Council Park and Recreation Department prior to the commencement of works.



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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.

Date issued: 24 June 2026

Signature for the responsible authority:

