

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2403141
Planning scheme:	Merri-bek Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	24 Jessie Street and 19 Hall Street, COBURG (Lot 1 on Title Plan 702325U, Lot 1 on Title Plan 702325U, Lot 1 on Title Plan 688805C and Lot 1 on Title Plan 011416T)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.09-2	A permit is required to use land for the purpose of an Office (associated with Clause 53.23 use and development).
32.09-7	A permit is required to construct a residential building.
32.09-10	A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
43.01-1	A permit is required to construct a building or construct or carry our works.
52.02	A permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction.
52.06-3	A permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

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.

Date issued: 8 November 2024 **Signature for the responsible authority:**



Commencement

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

Amended Plans

3. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with Merri-bek City Council. 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 must be generally in accordance with the plans dated 05 April 2024 by DKO Architecture but modified to show:
 - a) Removal of the easement in accordance with Condition 23 of this permit.
 - b) Minimise unreasonable overlooking in accordance with condition 1(d) into habitable room windows and secluded private open space of neighbouring dwellings from the following:
 - i. East facing first floor window of Dwelling A.1.09.
 - ii. North-East first floor window of Dwelling B.1.09.
 - iii. East facing balcony of Dwelling B.1.10.
 - iv. East facing balcony of Dwelling A.2.06.
 - v. East facing balcony of Dwelling A.2.07.
 - vi. North-East facing second floor window of Dwelling B.2.09.
 - vii. South-East facing second floor balcony of Dwelling B.2.10.
 - viii. North-East facing third floor window of Dwelling B.3.08.
 - ix. South-East facing third floor balcony of Dwelling B.3.09.
 - x. All west facing first-floor habitable windows and balconies of the northern building.
 - xi. All west facing second-floor balconies of the northern building.
 - xii. West facing balconies of Dwellings B.3.01, B.3.02 and B.3.03.
 - c) A detailed screening diagram which must include:
 - i. Techniques to ensure reasonable outlook from impacted apartments is maintained.
 - ii. All dimensions, including the width of slats and the gap between slats.
 - iii. All side screens.
 - d) At least 20 per cent of the resident and staff bicycle parking devices designed to provide ground level horizontal (i.e. 1800mm long) bike parking devices in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
 - e) Dimension each bicycle parking device 500mm wide and the horizontal bike spaces 1800mm long and the vertical bicycle spaces 1200mm long, with every space accessed from a 1500mm wide access aisle as required by the Australian Standard for Parking Facilities – Bicycle Parking (AS2890.3).



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- f) The bicycle storage room to have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
- g) A schedule of all proposed exterior decorations, materials, finishes and colours, including colour samples.
- h) Notation at each existing crossover stating 'removal and/or relocation of crossover and reinstatement of nature strip per Merri-bek City Council technical specifications.
- i) Any changes to plans and report arising from the:
 - i. Landscape Plan in accordance with Condition 4 of this permit.
 - ii. Tree protection zone(s) in accordance with Condition 7 of this permit, to the Council street trees and Tree Group 1 – Pencil Pines.
 - iii. A Tree Management Plan (TMP) and associated protection measures for Tree 2 – Moreton Bay Fig in accordance with Condition 8 of this permit.
 - iv. The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 9 of this permit.
 - v. Accessibility Report in accordance with Condition 13 of this permit.
 - vi. Waste Management Plan in accordance with Condition 15 of this permit.
 - vii. Green Travel Plan in accordance with Condition 17 of this permit.
 - viii. Public Works Plans in accordance with Condition 20 of this permit.

Landscaping

4. Prior to the endorsement of plans, an amended landscape plan must be submitted to and approved by the Responsible Authority, in consultation with Merri-bek City Council. The landscape plan must be generally in accordance with the plan prepared by Outlines dated 09 April 2024 but amended to show:
- a) Any changes required to align with the plans for endorsement.
 - b) An alternative canopy tree to *Acacia implexa* with comparable height and canopy dimensions selected from Merri-bek's Tree Planting Manual for residential Zones 2019.
 - c) Identification of any existing tree(s) and vegetation on site and adjoining land proposed to be removed and retained, including the tree protection zone(s) of trees to be retained and protected.
 - d) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

5. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Merri-bek

Date issued: 8 November 2024 Signature for the responsible authority:



City Council.

6. All landscaping and irrigation systems must be maintained to the satisfaction of the Merri-bek City Council in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Merri-bek City Council.

Tree Protection

7. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), all Council trees and Tree Group 1 – Pencil Pines (as defined in the Arboricultural Report by John Patrick dated 12 April 2024) must have a Tree Protection Zone (TPZ) in accordance with *AS4970 Protection of Trees on Development Sites* to the satisfaction of the Merri-bek City Council. The TPZ must meet the following requirements:

- a) Tree Protection Fencing

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

- b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating “Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.”. The TPF signage must be complied with at all times.

- c) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

- d) Provision of Services

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970.

8. Prior to the endorsement of plans, a Tree Management Plan (TMP) must be submitted to the satisfaction of the Responsible Authority in consultation with Merri-bek City Council. The TMP must be prepared by a suitably qualified Arborist and make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites to ensure that Tree 2 - Moreton Bay Fig (as defined in the Arboricultural Report by John Patrick dated 12 April 2024) remains healthy and viable during construction. The TMP must include the following to the satisfaction of the Responsible Authority:

- a) A tree protection plan to scale that show:
 - i. All Tree Protection Zones and Structural Root Zones.
 - ii. All Tree Protection Fencing.
 - iii. Areas where ground protection systems will be used.
 - iv. The type of footings within any Tree Protection Zone.
 - v. The location of services within any Tree Protection Zone.
- b) The location and design of Tree Protection Fencing.
- c) Details of appropriate footings within the Tree Protection Zone.
- d) The method of installing any services through the Tree Protection Zone.
- e) Details of how the root zone within the Tree Protection Zone will be managed throughout the project.
- f) A timetable outlining works requiring supervision by the Project Arborist.
- g) The results of any exploratory trenching where there is encroachment (construction or excavation) greater than 10 per cent into the Tree Protection Zone (in accordance with Australian Standard AS4970:2009 - Protection of Trees on Development Sites) of any tree to be retained. This must include photographic evidence of any trenching/ excavation undertaken.
- h) All remedial pruning works that are required to be performed on the tree during the development of the site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

When submitted and approved to the satisfaction of the Responsible Authority, the TMP will be endorsed to form part of this permit. The recommendations of the endorsed TMP must be implemented to the satisfaction of the Merri-bek City Council.

Environmentally Sustainable Design (ESD)

9. Prior to the endorsement of plans, an amended Sustainability Management Plan (SMP) and plans must be submitted to the satisfaction by the Responsible Authority in consultation with Merri-bek City Council. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by Blue Bee Sustainable Services, dated 02/04/2024 (Rev 1), but modified to include the following changes:

- a) Show the following ESD initiatives on the development plans:

Date issued: 8 November 2024 **Signature for the responsible authority:**



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- i. An ESD table on the plans for items that cannot be drawn e.g. NatHERS, tap and cooling/heating ratings, etc.
 - ii. Horizontal, fixed, external shading devices to all north facing habitable room windows and glazed doors where not located directly under an eave or overhang. Draw and label all shading on the plans and elevations with FSD (Fixed Shading Device). Provide a dimensioned section diagram or photograph of the shading. The depth of the device must be equal to 25 per cent of the distance from sill height to the base of the device. The shading device must also extend horizontally to both sides of the window or glazed door by a distance equal to the depth of the device.
 - iii. External operable shading devices to all east/west windows and glazed doors to habitable rooms drawn and labelled with ASD (Adjustable Shading Device) on the floor plan and elevations. Ensure windows that have external adjustable shading can open when using the blind.
 - iv. The proposed solar PV system, including location, spatial size and system output size.
 - v. The roofs and driveways specified as no darker than 'Medium (roofs = Solar Absorptance ≤ 0.60 , paint, render, cladding and driveways = Light Reflectance Value ≥ 60)'.
- b) An amended WSUD (Water Sensitive Urban Design) catchment plan that is consistent with the STORM report, clearly showing:
- i. All impervious surfaces (dimensioned in square metres) and their treatment/non treatment to align with the entries in the amended STORM Report, to ensure all areas are included.
 - ii. Where all stormwater will drain, with downpipes marked and the direction of water flow shown with arrows.
 - iii. All water tanks and WSUD features (such as raingardens), including dimensions, sections, plant types, etc.
 - iv. If permeable paving is used: A section and details of any permeable paving.
 - v. If raingardens are used: They must be setback at least 300mm from site boundaries or building footings. They cannot be located in areas of secluded private open space.
 - vi. Ensure consistency between the plans, SMP and STORM calculator.

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

10. Prior to the issue of a Statement of Compliance or Certificate(s) of Occupancy whichever occurs first, all works must be undertaken in accordance with the endorsed Sustainable

Date issued: 8 November 2024 Signature for the responsible authority:



Management Plan report to the satisfaction of Merri-bek City Council. No alterations to these plans may occur without the written consent of the Responsible Authority.

11. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to Merri-bek City Council. The report must be to the satisfaction of Merri-bek City Council and must confirm (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.
12. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of Merri-bek City Council to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Accessibility

13. Prior to the endorsement of plans, an Accessibility Report prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. The report must:
 - a) Align with the plans for endorsement.
 - b) Detail how the development will incorporate design features in accordance with Standard D17 (Accessibility) of Clause 58 of the Merri-bek Planning Scheme, including the detailed design of the adaptable bathrooms (e.g. confirmation of hobless showers and removable hinges to doors).

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Merri-bek City Council prior to the occupation of the development.

14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Accessibility Report have been implemented in accordance with the approved report.

Waste Management

15. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The plan must be generally in accordance with the report prepared by Ratio dated 27 March 2024 but modified to:
 - a) Align with the plans for endorsement.
 - b) The waste bin room designed to ensure no bin is placed behind another bin.
 - c) Specify that the waste will be collected by a private waste collection company.

When submitted and approved to the satisfaction of the Responsible Authority, the WMP



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

16. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Merri-bek City Council unless with the further written approval of the Merri-bek City Council.

Green Travel Plan

17. Prior to the endorsement of plans, an amended Green Travel Plan (GTP) must be prepared, submitted to and approved by the Responsible Authority. The amended GTP must be generally in accordance with the GTP by Ratio dated 03 April 2024 but modified to:

- a) Align with the plans for endorsement.

When approved to the satisfaction of the Responsible Authority, the Green Travel Plan will be endorsed to form part of this permit. No alterations to the endorsed Green Travel Plan may occur without the written consent of the Responsible Authority.

18. The Green Travel Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Merri-bek City Council unless with the further written approval of the Merri-bek City Council.

Affordable Housing Management Plan

19. Prior to commencement of the development, an Affordable Housing Management Plan must be submitted to and approved by the Responsible Authority in consultation with Merri-bek City Council. The plan must:

- a) Require 25 per cent of the dwellings to be in the form of social housing rented to households on the Victorian Housing Register under provisions of the *Housing Act 1983*.
- b) Require 75 per cent of the dwellings to be in the form of affordable housing at a maximum 74.9 per cent of median market rent in the suburb and no more than 30 per cent of income (whichever is lower).
- c) Collect demographic information, including age, sex and occupations of each household living in an affordable housing dwelling and use this information to inform and evaluate affordable housing and key worker policy objectives.
- d) Provide for biannual reporting of items (a), (b) and (d) above to the Responsible Authority and Merri-bek City Council for five consecutive years from the one year anniversary of issuing of the Statement of Compliance or Certificate of Occupancy (whichever occurs first) and further reporting at five year intervals thereafter up to the twenty-fifth year.

When submitted and approved to the satisfaction of the Responsible Authority, the Affordable Housing Management Plan will be endorsed to form part of the permit. No alterations to the Affordable Housing Management Plan may occur without the written consent of the Responsible Authority.

Date issued: 8 November 2024 Signature for the responsible authority:



Public Works Plan

20. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land directly in front of the site to Jessie and Hall Streets must be submitted to the satisfaction of Merri-bek City Council. The Plan must include:

- a) All construction details in accordance with the *Merri-bek City Council Technical Notes July 2019* (or any updated version).
- b) A detailed level and feature survey of the footpaths and roads.
- c) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
- d) Any necessary drainage works.
- e) The relocation or replacement of existing and installation of new street furniture and infrastructure, such as parking and traffic signs, public seating, bicycle parking and similar.
- f) The existing 'No Stopping' sign at the proposed new vehicle crossing annotated "to be relocated".
- g) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of Merri-bek City Council, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of Merri-bek City Council.

21. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all public works shown on the endorsed Public Works Plan must be implemented to the satisfaction of the Merri-bek City Council at the expense of the owner of the land, unless otherwise agreed prior written consent of Merri-bek City Council.

Section 173 Agreement: Affordable Housing

22. Prior to the commencement of the development, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with Merri-bek City Council and register the agreement on the title for the land in accordance with Section 181 of the *Planning and Environment Act 1987* to provide for the following:

- a) All the dwellings must comply with either:
 - i. The meaning of 'affordable housing' at Section 3AA of the *Planning and Environment Act 1987* and must be affordable to households consistent with Section 3AB of the *Planning and Environment Act 1987* or
 - ii. Another meaning of "affordable housing" acceptable to the Responsible Authority and Merri-bek City Council.
- b) All the dwellings on site must be delivered, managed, leased in accordance with the approved Affordable Housing Management Plan required by Condition 18 of the permit for 25 years from issuing of the Statement of Compliance or Certificate of Occupancy (whichever occurs first).



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- c) The agreement must otherwise be in a form to the satisfaction of Merri-bek City Council. The owner of the land must pay all of the Merri-bek City Council's reasonable legal costs and expenses of this agreement concerning the preparation, execution, and registration on title.

Easement

23. Prior to the endorsement of plans, the applicant is to arrange for the removal of the sewerage and carriageway easement on Lot 1 of TP11416T.

Engineering Matters

24. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a vehicle crossing must be constructed in every location shown on the endorsed plans to a standard satisfactory to Merri-bek City Council (City Infrastructure Department).
25. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of Merri-bek City Council (City Infrastructure Department).
26. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, access to the site, any vehicle crossover and any ancillary road and road drainage works must be constructed in accordance with any requirement of Merri-bek City Council (City Infrastructure Department).
27. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Merri-bek City Council.
28. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the bicycle storage room must have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3) to the satisfaction of the Merri-bek City Council.
29. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the Responsible Authority. Bicycle signage should be at least 0.3 metres wide and 0.45 metres high; display a white bicycle on a blue background on the top half of the sign and display information about the direction of facilities on the bottom half of the sign, to the satisfaction of the Merri-bek City Council.

Stormwater

30. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of Merri-bek City Council (Note: Please contact Merri-bek City Council, City Infrastructure Department).

Date issued: 8 November 2024 Signature for the responsible authority:



31. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Merri-bek City Council.

Car Parking

32. The area set aside for the parking of vehicles and access lanes shown on the endorsed plan must, to the satisfaction of the Merri-bek City Council:
- a) Be completed prior to issue of an Occupancy Permit or issue of a Statement of Compliance, whichever occurs first.
 - b) Be maintained.
 - c) Be properly formed to such levels that it can be used according to the endorsed plan.
 - d) Have the boundaries of all vehicle parking spaces clearly marked on the ground to accord with the endorsed plan.
 - e) Not be used for any other purpose other than the parking of vehicles, unless with the prior written consent of the Responsible Authority.
 - f) Be numbered to facilitate management of the car park.

General

33. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of Merri-bek City Council.
34. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views to the satisfaction of Merri-bek City Council. This does not include external guttering or associated rainwater down pipes.
35. All lighting of external areas including balconies must be designed not to emit direct light onto adjoining property to the satisfaction of Merri-bek City Council.
36. All external lighting, other than balcony lighting, must be no higher than 1.2 metres above ground level with automatic or sensor-controlled lighting installed and maintained on the land to illuminate pedestrian access to the development between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of Merri-bek City Council.

Privacy screens to be installed and maintained

37. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Merri-bek City Council.



Retention of Architect

38. DKO Architecture or an equivalent Architect must be retained to complete and provide architectural oversight during construction of the detailed design as shown on the endorsed plans, to the satisfaction of the Responsible Authority.

Permit Expiry

39. This permit will expire if one of the following circumstances applies:

Development

- a) the development is not commenced within three (3) years from the date of issue of this permit;
- b) the development is not completed within five (5) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Removal of Easement

- a) The easement removal is not commenced within two years of the date of issue of this permit as evidenced by a Plan of Removal of Easement being certified by the Council within that time.
- b) The Certified Plan of Removal of Easement is not registered within five years from the date of the Certification of the Plan.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date (as referred to in point (a) above).

Section 7 of the Subdivision Act 1988 does not allow for any extension of time for the registration of the certified Plan of Removal of Easement as outlined in point (b) above



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

<i>Date of extension</i>	<i>Period of extension to commence use (specify date where possible)</i>	<i>Period of extension to commence development (specify date where possible)</i>	<i>Period of extension to complete development or any stage (specify date where possible)</i>	<i>Period of extension to certify plan of subdivision (specify date where possible)</i>

- **USEFUL INFORMATION:**
- (the following information does not form part of this permit)
- Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would generally not be eligible for residential or visitor parking permits to allow for on street parking.
- 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*.

Date issued: 8 November 2024 **Signature for the responsible authority:**



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

IMPORTANT INFORMATION ABOUT THIS PERMIT

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: 8 November 2024 Signature for the responsible authority:

