

PLANNING PERMIT

Permit No.:	PA2402930
Planning scheme:	Frankston Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	11 Beach Street, Frankston

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
Clause 32.04-7	Construct a residential building
Clause 43.02-2	Construct a building or construct or carry out works
Clause 44.05-2	Construct a building or construct or carry out works
Clause 52.06-3	Reduce the number of car parking spaces required

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

Melbourne Water Conditions

3. Prior to endorsement of plans 'Build Over' approval must be obtained from Melbourne Water. Melbourne Water's 'Build Over approval' will be based on the following:
 - a. Permanent building/structures including footings, eaves, canopy over the footpath etc. set outside any easement or a minimum 3.9 metre laterally clear of the outside edge of the Melbourne Water's Asset, whichever is greater. Note: No overhangs or eaves are permitted within the lateral clearance zone. Any temporary structure including demountable canopy structure must demonstrate how it meets the temporary structure requirements.
 - b. No ground anchors located within 5 metres of Melbourne Water's asset.

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- c. Proposed basement with anchors must show the required clearance from Melbourne Water's asset.
 - d. The exact location of Melbourne Water's underground drain located by a licensed surveyor in accordance with Melbourne Water's Asset Proving Standard (to quality level B or higher - AS5488) and a copy of the Drain survey sent to Melbourne Water for assessment and approval. Plans must include results of the drain survey on plan drawings, noting setbacks from the outside edge of Melbourne Water's drain to buildings/structures.
 - e. Landscaping other than a grassed area within the asset's lateral clearance zone may not be permitted. Please refer to Melbourne Water's guidelines for landscaping within 5.0 metres of the asset. Details to be submitted for landscaping assessment shall include:
 - i. Species and locations of trees to be planted;
 - ii. Details of any hardstand areas, including paved and concrete areas.
4. Any new or modified stormwater connection shall be made to Council's drainage system. In the event that connection cannot be made to Council's system a separate application is necessary for any new or modified stormwater connection or alteration to Melbourne Water's drainage system (i.e. junction pits) and shall require approval from Melbourne Water. Evidence will need to be provided by Council regarding the legal point of discharge.
5. Utility Installation - No services are to be installed across any Melbourne Water Asset or within any easements or owned land that are in favour of Melbourne Water unless approval in writing has been granted by Melbourne Water. A separate Utility Installation application will need to be submitted.

Tree Protection Management Plan

6. Before the development starts, including demolition, bulk excavation and site preparation works, a Tree Protection Management Plan (TPMP) must be approved and endorsed by Frankston City Council. The TPMP must be prepared in accordance with Frankston City Council's 'Arboricultural Report Writing Guide' by a suitably qualified and experienced Arborist and must address the management and maintenance of retained neighbouring trees numbered 1-8, 10. The TPMP must make specific recommendations in accordance with *AS4970: 2009 - Protection of Trees on Development Sites* and detail the following where relevant but not limited to ensuring that the trees remain healthy and viable during and following construction:
- a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations and any tree protection fence relocations required where ground protection systems will be used.
 - b. A clear photograph of each tree.
 - c. Any specific damage/faults evident within each tree prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary dilapidation report.
 - d. Restricted activities in the TPZ.
 - e. Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages.
 - f. A timeline of required site visits by the Project Arborist to ensure compliance of the endorsed TPMP.
 - g. Details of any TPZ encroachments including if necessary:
 - i. Any details of exploratory root investigation.
 - ii. Any alternative construction techniques.
 - iii. Any root pruning.



- iv. Any arborist supervision.
- h. Methods for installation of services e.g. sewerage, stormwater, telecommunications, electricity etc.
- i. Remedial pruning works as required including a detailed photographic diagram specifying what pruning will occur.
- j. Certification of Tree Protection Fencing installed in accordance with the endorsed TPMP.
- k. Final Certification of Tree protection template.

Tree Protection Management - Prior to Occupation

- 7. Before the development is occupied, or as otherwise agreed by Frankston City Council, the Final Certification Report Template, including history of site visits by the Project Arborist as required in the TPMP, must be approved by Frankston City Council.

Construction Environmental Management Plan

- 8. Before the development starts, including demolition, bulk excavation and site preparation works, a Construction Environmental Management Plan must be approved and endorsed by Frankston City Council. The plan must be drawn to scale with dimensions and include the following information:
 - a. Contact numbers of responsible owner/contractor including emergency/24 hour mobile contact details.
 - b. Identification of possible environmental risks associated with development works.
 - c. Response measures and monitoring systems to minimise identified environmental risks, including but not limited to creek protection, vegetation protection, runoff, erosion, dust, litter, noise and light.
 - d. Location and specifications of sediment control devices on/off site.
 - e. Location and specification of surface water drainage controls.
 - f. Proposed drainage lines and flow control measures.
 - g. Location and specifications of fencing for the protection of trees and/or vegetation as required by the permit.
 - h. Location of all stockpiles and storage of building materials.
 - i. Location of car parking for site workers and any temporary buildings or facilities.
 - j. Traffic management plans that show proposed traffic control measures during construction, the heavy vehicle route to and from the site, loading bay/works zone and access and egress from the site.
 - k. Details to demonstrate compliance with relevant EPA guidelines.
 - l. Target of recycling and re-using a minimum of 80% of construction and demolition waste by weight.
 - m. Hours during which construction activity will take place.

Approved and endorsed plans – changes required

- 9. Before the development starts, excluding demolition, bulk excavation and site preparation works, plans must be approved by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority and be generally in accordance with plans prepared by Caleb Smith Architect and James Harbard Architect, dated 6 May 2024, but amended to show the following details:
 - a. Any changes required to ensure consistency with the approved landscape plan.

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- b. Soffit treatment to the wind vent level.
- c. The communal resident terrace area of Level 01 with no unreasonable overlooking to the private open space and habitable room windows of Apt~. 03
- d. Ground level bike access gate and fencing/walling along west interface to have a minimum permeability of 75%.
- e. All windows at ground level interfacing with Beach Street with 75% clear glazing between the heights of 0.5m – 2.0m above the footpath/public realm.
- f. Clear glazing along the ground level west elevation of the easement / bike access.
- g. The street canopy reduced to cover the footpath and avoid overhang of the nature strip
- h. Annotations to confirm:
 - i. Rainwater tanks are connected to all toilet flushing and irrigation areas.
 - ii. Double glazing to all living and bedroom area windows.
 - iii. Solar panels location and size.
- i. An 'ESD Schedule' with details of dwelling star ratings, energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, solar PV panels, energy efficiency initiatives, lighting efficiency, natural ventilation, as well as any waste recovery and use of sustainable materials commitments etc.
- j. All trees growing on the site and on the adjoining properties within 5m of the boundaries clearly illustrated on all relevant plans to demonstrate canopy width, trunk location and clearly labelled in accordance with the Tree Assessment Report prepared by 19.4.2024 stating whether the tree is to be retained or removed.
- k. The Tree Protection Zone (TPZ), Structural Root Zone (SRZ) and the tree protection locations for all trees to be retained illustrated on all relevant plans.
- l. Any changes required by the Landscape and Public Realm Plan in accordance with the condition below.
- m. Any changes required by the Façade Strategy in accordance with the condition below.
- n. Any changes required by the Sustainable Management Plan in accordance with the condition below.
- o. Any changes required by Waste Management Plan in accordance with the condition below.
- p. Any changes required by Car Parking and Loading Management Plan in accordance with the condition below.
- q. Any changes required by Green Travel Plan in accordance with the condition below.
- r. Any changes required by Wind Assessment Report in accordance with the condition below.
- s. Any changes required by Tree Protection Management Plan in accordance with the condition below.

Landscape and public realm plan

- 10. Concurrent with the endorsement of architectural plans, a landscape and public realm plan must be approved and endorsed by the responsible authority. The landscape and public realm plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the landscape plan prepared by John Patrick Landscape Architects, dated 10 May 2024 and must include the following:

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- a. Any changes required to be consistent with the endorsed architectural plans.
- b. Response to Frankston City Council's Landscape Plan Guidelines (2020).
- c. A survey (including botanical names) of all existing vegetation on the site and within 3m of the site boundary on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained and/or removed.
- d. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- e. Details of surface finishes of pathways and driveways
- f. A planting theme of a minimum 30% indigenous and 40% native within each plant group.
- g. Nature strip planting in accordance with Frankston City Council's Nature strip planting guidelines (2022). Include a notation that the nature strip is to be managed by the property owner (Street Trees will be maintained after the establishment period by Council).
- h. Notes regarding site preparation, including in-ground recycled water irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- i. Details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation
- j. A Public Realm Plan in accordance with Frankston City Council's preferred Material Palette detailing the following:
 - i. Clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
 - ii. Works for all 'public realm' areas within or directly integrating with the development site including, for example, pedestrian links, footpath connections and extensions, public seating and parks and recreation areas. Any seating must not encroach over the footpath.
 - iii. The location of (as appropriate) lighting including street lighting, pedestrian lighting and feature lighting (including external lighting on the building), bollards, signage and wayfinding, seating, bike hoops, retaining walls, planter boxes, public art, paving, glazing, garden beds/planting areas, bins, balustrades and any other relevant features.
 - iv. Product details including materials, colours, finishes, quantities and dimensions (as relevant) for each of the elements listed above.
 - v. Any relevant offset distances.
 - vi. Location of all other relevant features including property boundaries, roadways, waterways, vegetation, infrastructure etc.

Completion of Landscaping

11. Before the development is occupied, the landscaping and public realm works shown on the approved landscape and public realm plan must be carried out and completed to the satisfaction of the responsible authority.
12. The responsible authority may consent in writing to vary this requirement.

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Landscaping maintenance

13. At all times the landscaping and public realm works shown on the approved landscape and public realm plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of Frankston City Council.

Façade Strategy

14. Concurrent with the endorsement of architectural plans, a façade strategy must be approved and endorsed by the responsible authority. The façade strategy be prepared to the satisfaction of the responsible authority, be generally in accordance with the plans and the urban context report prepared by Caleb Smith Architect and James Harbard Architect, dated 6 May 2024, and must include the following:
- a. A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b. A schedule of colours, materials and finishes, including the colour, type and quality of materials and glazing type showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear coding.
 - c. Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the responsible authority, illustrating typical building details, entries and doors, utilities, and any special features, including scalloped facades, which are important to the building's presentation.
 - d. Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - e. The quality and materiality of the scalloped façade detail, including its underside, edges and surface.
 - f. Details of the wind vent level including:
 - i. Design measures to ensure integration of bird mesh with the overall building composition.
 - ii. Design measures to ensure the wind vent level presents as a deliberate part of the overall building expression.
 - iii. Details of exposed soffits, wall finishes and facade junctions.
 - iv. Details of how necessary measures to achieve fire ratings and required treatments are fully integrated into the design.
 - g. Confirmation that the materials and overall building expression will not cause specular light reflectance greater than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the responsible authority.
 - h. Information about how the façade will be accessed, maintained and cleaned.
 - i. Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high-quality built form outcome in accordance with the design concept.
 - j. Details of materials and finishes to demonstrate these will be of high quality, robust, and require low maintenance.

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3D Digital Model

15. Concurrent with the endorsement of architectural plans, a 3D digital model of the development and its immediate surrounds must be submitted to and approved by the responsible authority. The model must be prepared having regard to the Technical Advisory Note for 3D Digital Model Submissions prepared by the Department of Transport and Planning.

Sustainable Management Plan

16. Concurrent with the endorsement of architectural plans, an amended Sustainable Management Plan must be approved and endorsed by the responsible authority. The Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by IGS Integrated Group Services, dated 16 May 2024 but modified to show the following:
 - a. Any changes required to be consistent with the endorsed architectural plans with no reduction in the commitments and rating nominated under the BESS assessment in the Sustainable Management Plan.

Implementation of ESD Statement Initiatives

17. Within six months of the occupation of the development, a report from the author of the endorsed report must be submitted to and approved 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.

Water Sensitive Urban Design – implementation and management

18. The water sensitive urban design measures approved by the responsible authority and included in the endorsed Sustainable Management Plan must be constructed, managed and maintained to the satisfaction of Frankston City Council.

Stormwater Drainage

19. Concurrent with the endorsement of architectural plans, detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure must be approved and endorsed by Frankston City Council. The internal stormwater drainage system must include a stormwater detention system with a volume capable of retarding the 10% Annual Exceedance Probability (AEP) flow from the development site back to a 20% AEP pre-development value.

Completion of Drainage Works

20. Before the development is occupied, all works detailed on the approved drainage plans, including the stormwater drainage system, must be constructed in accordance with the approved plans to the satisfaction of Frankston City Council.
21. Stormwater drainage must be connected to stormwater Legal Point of Discharge as nominated by and to the satisfaction of Frankston City Council.
22. Stormwater runoff must achieve the following objectives for environmental quality, as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO) 1999.
 - 80% retention of the typical annual load of suspended solids;
 - 45% retention of typical annual load of total phosphorous; and
 - 45% retention of typical annual load of total nitrogen.

Water quality works within the development must be provided to achieve compliance with the above best practice.

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Waste Management Plan

23. Concurrent with the endorsement of architectural plans, a waste management plan must be approved and endorsed by the responsible authority. The waste management plan must be generally in accordance with the waste management plan prepared by Traffix Group, dated May 2024, but amended to include the following:
- a. Identification of any impacts related to kerbside waste collection and measures to mitigate identified impacts.
 - b. Specific collection times within off-peak times whilst maintaining the amenity of the development and surrounding area.
 - c. Additional internal waste chutes for glass and organics waste streams.
 - d. Section 3.5. Signage amended to delete the wood stirrers / chopsticks from the Organics signage.
 - e. Measures to ensure all residents are educated on and provided with the relevant information regarding the waste management system and sustainability strategies of the development.

The responsible authority may consent in writing to vary these requirements.

24. 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 Frankston City Council.

Car Parking and Loading Management

25. Concurrent with the endorsement of architectural plans, a Car Park and Loading Management Plan must be approved and endorsed by the responsible authority in consultation with Frankston City Council. The Car Park and Loading Management Plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Traffic Engineering Assessment prepared by Traffix Group dated May 2024 and include the following details:
- a. The number and location of car parking spaces allocated to each tenancy.
 - b. The number and allocation of storage spaces.
 - c. Details regarding the management of waste collection and loading and unloading of goods and materials to minimise vehicular and pedestrian conflicts.
 - d. Details of any car park control equipment (controlling access to and egress from the basement car parks) including how visitors may access the development.
 - e. Any security boom, barrier or similar device controlling vehicular access to the premises. Any such device must be located a minimum of six metres inside the property to allow vehicles to prop clear of Beach Street.

Car park construction

26. Before the development is occupied, areas set aside for parking vehicles and bicycles, loading bays, access lanes and paths as 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. Surfaced with an all-weather sealcoat.
 - d. Drained.
 - e. Line marked to indicate each car space and all access lanes.
 - f. Clearly marked to show the direction of traffic along access lanes and driveways.

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At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

27. The minimum available clearance for vehicles within the building must be signposted at all entrances.

Green Travel Plan

28. Concurrent with the endorsement of architectural plans, a Green Travel Plan must be approved and endorsed by the responsible authority. The report must be generally in accordance with the Green Travel Plan prepared by Traffix Group dated May 2024, but amended to include the following details:

- a. Any changes required to be consistent with the endorsed architectural plans.

Wind Assessment Report

29. Concurrent with the endorsement of architectural plans, a Wind Assessment Report must be approved and endorsed by the responsible authority. The report must be generally in accordance with the Environmental Wind Speed Measurements on a Wind Tunnel Model prepared by MEL Consultants, dated 18 August 2023, but amended to include the following details:

- a. Any changes required to be consistent with the endorsed architectural plans.

The recommendations of the wind assessment must be implemented to the satisfaction of the responsible authority.

Affordable Housing

30. Before the development starts, including demolition, bulk excavation and site preparation works, the owner of the land must enter into an agreement with the Minister for Planning and Frankston City Council under Section 173 of the *Planning and Environment Act 1987* to provide for the delivery of affordable housing.

The agreement must provide the following:

- a. The owner is to enter into an agreement with a 'Registered Housing Agency' or a 'Registered Housing Provider' (as defined under the *Housing Act 1983*) for the provision of affordable housing for 100% of the total number of dwellings located on the land, requiring:
- i. Unencumbered ownership of the total number of dwellings to be sold to the registered housing agency or registered housing provider for affordable housing;
 - or
 - ii. Management of the total number of dwellings to be assumed by the registered housing agency or registered housing provider for leasing as affordable housing.

For the purposes of the agreement 'affordable housing' is to have the same meaning as the definition under the *Planning and Environment Act 1987*.

The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Canopy Encroachments

31. Before the development is occupied, the owner of the land must enter into an agreement with Frankston City Council under Section 173 of the *Planning and Environment Act 1987* in respect to canopy encroachments and to provide for:

- a. Public Liability Insurance;



- b. Indemnity for Frankston City Council and Crown;
- c. Continuity of appropriate maintenance to ensure the continued safety of the structure and to ensure any risk to public safety is minimised.

The owner of the land must pay all of Frankston City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Boundary walls

- 32. Before the development is occupied, all new walls on or facing the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the responsible authority.

Plant/equipment or features on roof

- 33. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the buildings.

Concealed service pipes and equipment

- 34. 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.

Outdoor light

- 35. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on neighbouring land.

Amenity

- 36. 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, grit or oil.
 - d. Presence of vermin.

to the satisfaction of the responsible authority.

- 37. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
- 38. 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 the responsible authority.

Loading/unloading

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

Vehicle Crossings and Kerbs

- 40. Before the development is occupied, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of Frankston City Council (in accordance with Standard Drawing 310 – Frankston City Council Vehicular Crossings Notes & Specifications) and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/kerb and channel, to the satisfaction of Frankston City Council.

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41. Concrete kerbs and barriers shall be provided to the satisfaction of Frankston City Council to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.

Discomfort glare

42. Extended periods of discomfort glare for pedestrians and occupants of surrounding buildings caused by glazing (including tilted glazing) and external cladding materials and finishes with specular or glossy finishes (including polished metal cladding, finished stainless steel, glazed tiles, high gloss paint finishes) must be avoided or minimised, to the satisfaction of the responsible authority.

Disability glare to transport

43. External glazing and cladding materials and finishes must avoid disability glare to public transport operators, road users and aircraft, to the satisfaction of the responsible authority.

Disability glare

44. Specular light reflectance must be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the responsible authority.

Expiry – development

45. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- a. The development is not started within 2 years of the issued date of this permit.
 - b. The development is not completed within 4 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.

USEFUL INFORMATION:

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

- A. This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the permit holder must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- B. The permit holder will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the permit holder and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- C. Nothing in this permit or any plans or documents approved in accordance with the conditions of this permit should be taken to imply that the development meets the requirements of the Building Act 1993 and its regulations.
- D. Before the development starts, the operator of this planning permit must obtain a non-refundable Asset Protection Permit from Frankston City Council's Infrastructure Department.
- E. An owner/occupier is required by law to ensure full compliance with the requirements of the Building Regulations 2018 and the Building Act 1993. Before any building work starts, the Building Act 1993 requires that a building permit is obtained and be available for inspection during all times of construction.
- F. Melbourne Water as the Catchment Management Authority must provide flood advice and conditions.



- G. All projections over the street alignment must conform to *Building Regulations 2018*, Part 6, Sections 98 to 110 as appropriate.
- H. Where the development involves work on or access to Council controlled land including roads, reserves and right of way, the owner, operator and their agents under this permit must at all times take adequate precautions to maintain works to the highest public safety standards, to the satisfaction of Frankston City Council.
- I. Precautions must include appropriate signage to AS 1743 Road Works Signing Code of Practice, the provision of adequate barricading of works, including trenches of Service Authorities and any other road openings, sufficient to ensure public safety.
- J. All relevant permits must be obtained from Council for works within the existing road reserves, in addition to the planning permit.

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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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Signature for the responsible authority:

