

## PLANNING PERMIT

<b>Permit No.:</b>	PA2503889
<b>Planning scheme:</b>	Boroondara Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	138 Barkers Road, Hawthorn (Lots 1 and 2 on Plan of Subdivision 52794V)

### THE PERMIT ALLOWS:

<b>Planning scheme clause</b>	<b>Matter for which the permit has been granted</b>
32.08-7	Construct two or more dwellings on a lot.
43.01-1	Construct a building or construct or carry out works
52.29-2	Create or alter access to a road in a Transport Zone 2

### 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 – changes required

3. Before the development starts, excluding demolition, tree removal, bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by Cera Stribley and dated 23 January 2026 but amended to show the following details:
  - a) Details (including dimensions, materials etc.) of all proposed internal and extent overlooking screening devices.

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- b) Clear delineation of the shared path and its surrounds which are to be transferred to Boroondara City Council's ownership.
- c) All street trees on all relevant plans.
- d) All dwellings which require an external storage area to comply with the minimum overall storage volumes in accordance with Standard D21 of Clause 58.05-4 (Storage) to be nominated in Clause 58 assessment table.
- e) Any changes required to be consistent with the endorsed Shared Path Plan.
- f) Any changes required to be consistent with the endorsed Heritage Interpretation Strategy.
- g) Any changes required to be consistent with the endorsed Façade Strategy.
- h) Any changes required to be consistent with the endorsed Tree Management Plan.
- i) Any changes required to be consistent with the endorsed Landscape Plan.
- j) Any changes required to be consistent with the endorsed Sustainability Management Plan.
- k) Any changes required to be consistent with the endorsed Wind Impact Assessment.
- l) Any changes required to be consistent with the endorsed Acoustic Report.
- m) Any changes required to be consistent with the endorsed Waste Management Plan.
- n) Any changes required to be consistent with the endorsed Traffic and Parking Management Plan.
- o) Any changes required as a result of Head, Transport for Victoria's conditions.

**Layout not altered**

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

**Architects to be retained**

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

**Shared Path Plan**

- 6. Before the development starts, a Shared Path Plan must be approved and endorsed by the responsible authority, in consultation with Boroondara City Council. The Shared Path Plan must be to the satisfaction of the responsible authority, generally in accordance with the plans prepared by Cera Stribley and dated 23 January 2026 and must include the following:
  - a) Any changes required to be consistent with the endorsed architectural plans.
  - b) All furniture and structure setback at least 1 metre from the path, or alternatively a 0.5 metre snag free surface provided if needed.
  - c) A lighting and signage plan for the shared path and surrounds which must provide the following:

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- i. Lighting for the shared path designed to provide continuous, even illumination that provides clear pedestrian visibility and safety for all users while minimising light spill to adjoining properties.
- ii. Details of lighting type, levels, spill control and locations along public interfaces.
- iii. A full schedule of all proposed signage, which is to be appropriately integrated into the landscape design and consistent with the endorsed Heritage Interpretation Strategy.
- iv. Signage identifying the responsible maintenance entity for the shared path, including contact details.
- v. A notation indicating that the path is constructed from reinforced concrete.
- vi. Details of suitable line markings.
- vii. Appropriate pedestrian sight triangles provided at the junction of the shared path and the pedestrian access to the development.
- viii. Details of the bollards at either end of the shared path, designed to be removable to allow emergency and maintenance vehicle access. Bollards must be conspicuous and fitted with reflective bands.

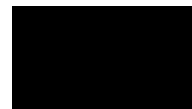
The responsible authority may consent in writing to vary any of these requirements.

### **Façade Strategy**

7. Concurrent with the endorsement of plans, a façade strategy must be approved and endorsed by the responsible authority. The façade strategy must be prepared to the satisfaction of the responsible authority, be drawn to scale and be generally in accordance with the plans prepared by Cera Stribley and dated 23 January 2026, and must include:
  - a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - b) A schedule of all colours, materials and finishes, including the colour, type and quality of materials 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 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) Information about how the façade will be accessed, maintained and cleaned.
  - f) Details of materials and finishes to demonstrate these will be of high quality, robust, and require low maintenance.

### **Heritage Interpretation Strategy**

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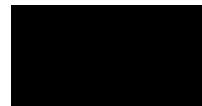
8. Concurrent with the endorsement of plans, a Heritage Interpretation Strategy must be approved and endorsed by the responsible authority. The Heritage Interpretation Strategy must be prepared by a suitably qualified heritage expert and all recommendations which are to be included in the construction details of the development, to the satisfaction of the responsible authority. The Heritage Interpretation Strategy must include:
- Historic information on the former Barkers Road Railway Station formerly located on the subject site.
  - A minimum of three interpretive signs installed at the beginning, middle and end of the shared path.

### **Tree Management Plan**

9. Concurrent with the endorsement of plans, a Tree Management Plan (TMP) to the satisfaction of the responsible authority in consultation with Boroondara City Council must be submitted to and approved by the responsible authority. The Tree Management Plan must be prepared by a minimum AQF Level 5 qualified and experienced arborist in relation to the management and maintenance of Trees Nos. 1, 2, 5, 6 (street trees) and 12, 13, 14, G4 and G5 (Neighbouring Trees) (as identified in the Arborist Report prepared by Tree Logic and dated 22 September 2024).

The TMP must make specific recommendations in accordance with the Australian Standard AS4970:2025 – Protection of trees on development sites and detail the following to ensure that all retained trees remain healthy and viable during construction:

- A Tree Protection Plan drawn to scale that shows:
  - Tree Protection Zones and Structural Root Zones of all trees to be retained;
  - All tree protection fenced off areas and areas where ground protection systems will be used;
  - The type of foundations (illustration or notation) within each Tree Protection Zone;
  - Any services to be located within the Tree Protection Zone and a notation to state that all services will either be located outside of the Tree Protection Zone, bored under the tree protection zone or installed using hydro excavation under the supervisions of the project arborist; and
  - A notation to refer to the Tree Management Plan for specific detail on what actions are required within the Tree Protections Zone.
- Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist and details of how any permeable surfaces within the Tree Protection Zone of retained trees will be constructed.
- The supervision timetable and certification of tree management activities required by the Project Arborist.
- All remedial pruning works that are required to be performed on trees during development of the site. The pruning comments must reference Australian Standards 4374:2007 Pruning of Amenity Trees and provide a detailed photographic diagram specifying what pruning will



occur. Note: Only Council or Authorised Council Contractors can prune Trees Nos. 3 & 14. Any request for the pruning of trees on public land must be made through Boroondara City Council's Environmental Sustainability and Open Spaces Department.

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

**Contractors to be advised of trees to be retained and protected**

10. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and protected as detailed in the endorsed Tree Management Plan and are advised of any obligations in relation to the protection of those trees. A written record must be maintained on site of all contractors inducted regarding this condition. At the request of an authorised officer of Boroondara City Council, this written record must be provided to the council.

**Regulation of activities in Tree Protection Area**

11. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area as detailed in the endorsed Tree Management Plan without the prior written consent of Boroondara City Council. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.

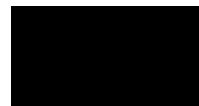
**Documentation and Certification by Project Arborist**

12. Prior to the commencement of any site works, including demolition and excavation, Boroondara City Council must be provided with evidence that a project arborist has been engaged as part of the ongoing consultant team to oversee the design and construction, and to ensure the development does not have a detrimental impact on the ongoing health and stability of the trees to be retained. The project arborist must hold suitable qualifications and experience to the satisfaction of Boroondara City Council. Evidence of the appointment of the project arborist must be submitted to the satisfaction of Boroondara City Council (quoting the planning permit number and site address, emailed to [boroondara@boroondara.vic.gov.au](mailto:boroondara@boroondara.vic.gov.au)) not less than seven (7) days before the commencement of works on site.

**Landscape plan**

13. Concurrent with the endorsement of plans, a Landscape Plan must be approved and endorsed by the responsible authority in consultation with Boroondara City Council. The plan must be prepared to the satisfaction of the responsible authority and must be generally in accordance with the Landscape Plan prepared by Cera Stribley and dated January 2026, but modified to include:
  - a) Any changes required to be consistent with the endorsed architectural plans.
  - b) Any changes required to be consistent with the endorsed Tree Protection Management Plan.
  - c) The location and details of all paving, steps, retaining walls, water tanks, clotheslines, fence design details and other landscape works, including cut and fill.
  - d) 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

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location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.

- e) A detailed maintenance schedule of measures for the initial establishment period and ongoing maintenance following the establishment period, including upper level planter boxes and roof planting and clear delineation of landscaping which will be the responsibility of Boroondara City Council for maintenance.

### **Completion of landscaping**

- 14. Before the development is occupied, the landscaping shown on the approved landscape plans must be carried out and completed to the satisfaction of the responsible authority and Boroondara City Council.

The responsible authority may consent in writing to vary this requirement.

### **Landscaping maintenance**

- 15. At all times the landscaping shown on the approved landscape plans must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

### **Environmentally Sustainable Design**

- 16. Concurrent with the endorsement of plans, an amended Sustainability Management Plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the SMP prepared by BIW Environmental Solutions and dated 24 April 2025, and must include the following:

- a) Any changes required to be consistent with the endorsed architectural plans.
- b) An amended Built Environment Sustainability Scorecard (BESS) tool 'published' report achieving a minimum 50% overall score and passing status for the Water, Energy, IEQW and Stormwater categories.
- c) National House Energy Ratings (NatHERS) preliminary modelling and preview certificates to show a 7-star minimum average rating.
- d) Compliance with the BESS daylight standard to continue to be achieved across the development.
- e) An amended STORM rating report (or other suitable equivalent tool) which provides separate input rows for each building if catchment area collection and rainwater tank connections for reuse are not shared between both buildings.

### **Implementation of ESD 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.

### **Green Travel Plan**

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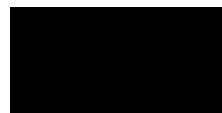


18. Prior to the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the responsible authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must include:
- a) A description of the location in the context of alternative modes of transport.
  - b) Resident welcome packs (e.g. provision of Myki/transport ticketing).
  - c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
  - d) A designated 'manager' responsible for co-ordination and implementation.
  - e) Details of bicycle parking and bicycle routes.
  - f) Details of Green Travel funding and management responsibilities.
  - g) The types of bicycle storage devices proposed to be used.
  - h) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
  - i) Locations and provision of any EV charging for cars and bicycle throughout the development.
19. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Stormwater Management Plan**

20. Before the development starts, Development Stormwater Drainage Plans must be submitted to and approved by Boroondara City Council's Asset and Capital Planning team (Drainage), to the satisfaction of Boroondara City Council. The plans must be prepared by a suitably qualified and registered Civil Engineer and must include:
- a) The use of an On-site Stormwater Detention (OSD) system;
  - b) The connection to the Council nominated Legal Point of Discharge;
  - c) The outfall drainage works necessary to connect the subject site to the Council nominated Legal Point of Discharge;
  - d) The integration, details and connections of all Water Sensitive Urban Design (WSUD) features in accordance with the Environmentally Sustainable Design (ESD) and STORM report and include drainage details as a result of landscaping;
  - e) A suitably prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas;
  - f) All drainage plans must show the Trees to be retained and include the Tree Number, the Structural Root Zone (SRZ) radius, and the Tree Protection Zone (TPZ) radius, as detailed in accordance with the arborist report submitted with the application.

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- g) All drainage plans must show proposed trees to be planted in accordance with the endorsed landscape plan.

**Stormwater management system – implementation and management**

21. The stormwater drainage system in accordance with the Development Stormwater Drainage Plan approved by Boroondara City Council must be implemented to the satisfaction of Boroondara City Council and must not be altered from the details in the endorsed stormwater management plan without the written consent of Boroondara City Council.

**Wind Impact Assessment**

22. Concurrent with the endorsement of plans, an amended Wind Impact Assessment must be approved and endorsed by the responsible authority. The Wind Impact Assessment must be prepared to the satisfaction of the responsible authority, generally in accordance with the Wind Impact Assessment prepared by Vipac and dated 24 April 2025, and must include the following:
- a) Any changes required to be consistent with the endorsed architectural plans.
  - b) A scaled wind tunnel model of CFD simulation to confirm wind conditions and determine appropriate wind control measures to comply with the requirements of Standard D17 of Clause 58.04-4 (Wind Impacts) of the Boroondara Planning Scheme.

**Acoustic Report**

23. Concurrent with the endorsement of plans, an amended acoustic report must be approved and endorsed by the responsible authority. The acoustic report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Acoustic Report prepared by Enfield Acoustics and dated 21 November 2025 but modified to include:
- a) Any changes required to be consistent with the endorsed architectural plans.
  - b) Details and specifications of all noise attenuation measures (or exemplar options) for those matters noted in the acoustic report as requiring further assessment at detailed design phase to ensure compliance with the Environment Protection Regulations 2021.
24. Within six months of the occupation of the development, a report from the author of the endorsed acoustic report must be approved and endorsed by the responsible authority. The report must outline how the design initiatives implemented within the development achieve the performance outcomes specified in the endorsed acoustic report, to the satisfaction of the responsible authority.

**Waste Management Plan**

25. Concurrent with the endorsement of plans, a Waste Management Plan must be approved and endorsed by the responsible authority. The waste management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Waste Management Plan prepared by One Mile Grid and dated 24 April 2025, and must include the following:
- a) Any changes required to be consistent with the endorsed architectural plans.

**Traffic and parking management plan**

26. Concurrent with the endorsement of plans, a traffic and parking management plan must be approved and endorsed by the responsible authority. The traffic and parking management plan

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must be prepared to the satisfaction of the responsible authority and much include the following details:

- a) The means by which the on-site car parking (including porte cochere) and bicycle parking spaces will be operated, allocated and managed, including details of:
- b) Any spaces for visitors and DDA spaces must be clearly set aside for such purpose and appropriately signed as such.
- c) Details of all line marking and signage.

### **Car park construction**

27. 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.

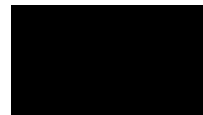
Once constructed, these areas must be maintained to the satisfaction of Boroondara City Council.

### **Head, Transport for Victoria conditions**

28. Before the development starts (or at such other time agreed to in writing by the Head, Transport for Victoria and City of Boroondara), a Functional Layout Plan (FLP) and functional stage Road Safety Audit (RSA) must be submitted to and approved by the Head, Transport for Victoria. The FLP and RSA must be prepared to the satisfaction of, and at no cost to, the Head, Transport for Victoria and:

- a) The FLP must:
  - i. be prepared by a pre-qualified engineer in accordance with the Department of Transport and Planning Prequalification Register;
  - ii. include details of an access crossover for the port-cochere designed in accordance with the relevant standards;
  - iii. include swept path diagrams for all turning movements in respect of the largest design vehicle anticipated to utilise the access point to enter and exit the site within the porte-cochere;
  - iv. include all signs facing motorists in Barkers Road that provide instruction to the use of the crossovers within the porte-cochere; and
- b) The RSA must:

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- i. be prepared by a pre-qualified engineer in accordance with the Department of Transport and Planning Prequalification Register;
- ii. Identify the road safety risks (if any) associated with the location of the authorised access point to enter and exit the site within the port-cochere;
- iii. Recommend mitigation works to address any identified road safety risks.

The findings and recommendations of the approved FLP and RSA must be implemented to the satisfaction of and at no cost to the Head, Transport for Victoria.

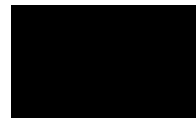
The approved FLP and RSA must not be modified except with the prior written consent of the Head, Transport for Victoria.

29. Before the use starts (or at such other time agreed to in writing by the Head, Transport for Victoria and the City of Boroondara), the crossover/s and associated driveway/s approved under this permit must be constructed to the satisfaction of and at no cost to the Head, Transport for Victoria and the responsible authority.

### **Construction Management Plan**

30. Prior to the commencement of any site works and excavation, a Construction Management Plan (CMP) must be submitted to and approved by Boroondara City Council. No works are permitted to occur until the CMP has been approved by Boroondara City Council. Once approved, the construction management plan will form part of the permit and must be implemented to the satisfaction of Boroondara City Council. The plan must be prepared in accordance with the Council's Construction Management Plan Template and provide details of the following:
- a) Hours for construction activity;
  - b) Measures to control noise, dust, water and sediment laden runoff;
  - c) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
  - d) Measures to ensure the avoidance of any damage to street trees as a consequence of the movement of large vehicles and machinery (including cranes and excavators) to and from the land or as a consequence of the operation of these vehicles and machines in association with the construction of the proposed building, including excavation of the land.
  - e) A plan showing the location of parking areas for construction and sub-contractors vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-contractors/tradepersons upon completion of such areas, without delay;
  - f) A Traffic Management Plan showing truck routes to and from the site;
  - g) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner, for the largest anticipated truck associated with the construction.
  - h) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;

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- i) Measures to ensure that sub-contractors/tradepersons operating on the site are aware of the contents of the CMP;
- j) The Site Manager's name and contact email and phone number;
- k) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves; and
- l) Any other relevant matters, including the requirements of VicRoads and Yarra Trams.

#### **Legal agreement – Affordable Housing**

31. Before the use or development of the land begins, excluding tree removal, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible 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) in the following manner:
- 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; or
  - 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.

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).

#### **Shared Path**

32. Unless otherwise agreed to by Boroondara City Council, prior to the occupation of the development, the shared path must be formally transferred to the ownership of Boroondara City Council.

#### **Noise and Amenity**

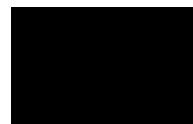
33. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.
34. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority.

#### **Control of light spill**

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

#### **Window Screening**

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36. The screening of the windows, terraces and balconies to prevent overlooking as shown on the endorsed plans must be installed prior to occupation of the development and must be maintained to the satisfaction of the responsible authority.

**Plant equipment or features on roof**

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

**Concealed service pipes and equipment**

38. 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.

**Expiry – Development and use**

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

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

In accordance with Section 69 of the *Planning and Environment Act 1987*, 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 does not form part of this permit):

- Separate consent for works within the road reserve and the specifications of these works is required under the *Road Management Act 2004* for the works within the road reserve.

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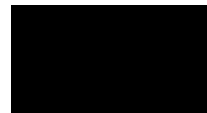
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Form 4

Sections 63, 64, 64A and 86

- Please contact Department of Transport and Planning for all Working Within the Road Reserve (WWRR) via the Road Access Permit Portal (RAPP). Consent applications are now required to be submitted through the RAPP website <https://rapp.transport.vic.gov.au/>.
- It is recommended that the redundant crossover on Barkers Road be removed and reinstated with kerb and channel to the satisfaction of and at no cost to the Head, Transport for Victoria and the City of Boroondara.
- It is recommended that the city of Boroondara, as the manager of parking on arterial roads consider permanent 'No Stopping' restrictions of the subject land to improve sight lines for vehicles exiting the land.
- The permitted use or development may need to comply with, or obtain the following further approvals:
  - A building permit under the *Building Act 1993*.

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Form 4

Sections 63, 64, 64A and 86

**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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

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**WHEN DOES A PERMIT BEGIN?**

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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.

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**WHEN DOES A PERMIT EXPIRE?**

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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.

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**WHAT ABOUT REVIEWS?**

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- 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 of issue: 5 March 2026 Signature for the responsible authority

