

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2403283
Planning scheme:	Maribyrnong Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	47-61 Sunshine Road, West Footscray

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
33.03-1	Use land for a place of assembly
52.06-3	Reduce the number of car parking spaces

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.

Event Dates

3. The events are to be held on the below dates between 2.00pm-10.00pm, with overall use of the site by organisers and contractors permitted between 6 December 2024 – 3 February 2025, unless otherwise agreed to in writing by the Responsible Authority.

Dates of Events:

- 8 December 2024

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- 4 January 2025
- 5 January 2025
- 11 January 2025
- 12 January 2025
- 1 February 2025.

4. Events may only occur on the dates and times identified within the endorsed Events Management Plan, including on stage performances and operating hours, to the satisfaction of the Responsible Authority.

Maximum Number of Persons/Patrons Allowed on Site

5. No more than 5,000 patrons are permitted at the events and no more than 6,500 people are permitted on the premises at any one time.

General Amenity

6. The use must be managed so that the amenity of the area, including in particular the site at 1 Roberts Street, West Footscray is not unreasonably 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; and
 - d) Harbourage and/or presence of vermin.

All to the satisfaction of the Responsible Authority. The Responsible Authority may require remediation works to occur after the event should the events disturb vermin, including to 1 Roberts Street, West Footscray where evidence of vermin is provided to the satisfaction of the Responsible Authority.

Signage

7. All temporary signage must be removed once the events have concluded to the satisfaction of the Responsible Authority.

Events Management Plan

8. The use must be managed in accordance with the endorsed Events Management Plan (EMP), prepared by Untitled Group Pty Ltd, undated.

The EMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Noise Management Plan

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9. The use must operate in accordance with the endorsed Noise Management Plan (NMP) referred to as Noise Management Plan Rev.1 prepared by *David Moore and Associates Pty Ltd* dated 15 October 2024. This includes letter dropping at affected properties at least 4 days prior to each scheduled event.

The NMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Waste Management Plan

10. The use must operate in accordance with the endorsed Waste Management Plan (WMP), prepared by *Clean Vibes Pty Ltd* dated September 2024.

The WMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Traffic Management Plan

11. An updated Traffic Management Plan (TMP), generally in accordance with the TMP prepared by Altus Group dated 9 August 2024 must be submitted to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The TMP must be amended to show:

- a) The closure of the kerbside lane in the westbound direction on Sunshine Road be extended to West Footscray Station to manage the flow of pedestrians between the site and West Footscray Station.
- b) Additional measures to improve the operating efficiency of the drop off/pick-up area within McArthur Street, including numbered 'zones', which drivers can readily identify as differentiating locations to meet patrons.
- c) Public transport buses to be exempt from the Roberts Road road closure, and can traverse Roberts Road during the event periods
- d) Signage should be added to direct pedestrians towards West Footscray Railway Station, as opposed to Tottenham Railway Station
- e) Banning right turn movements into McArthur Street
- f) Staff to be present along the paths between the site and the nearby Tottenham and West Footscray Train Stations to control and oversee pedestrian movements
- g) Clear signage must be installed at regular intervals on McArthur Street indicating "One-way" and "Drop-off and Pick-up only"
- h) End events signage to indicate Roberts Street between Indwe Street and Geelong Rd is 40kph.
- i) Traffic controllers to ensure that there is no unnecessary queuing/congestion at the nearby intersections, at all times.
- j) Traffic controllers to assist with pedestrians, cyclists, cars, trucks and buses at all times, as and when necessary

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- k) Traffic conditions to be reinstated at the end of each event
- l) Access to the local properties to be maintained at all times
- m) A letter drop to the residents/property owners notifying them of the upcoming traffic management to be undertaken at least 4 days prior to the commencement of the temporary closures/ restrictions
- n) All signs/bollards to be installed within clear sightlines, and not encroaching into the live lanes and footpath
- o) For the duration of the proposed events, the “bump-in” and “bump-out” process provides unimpeded access to GrainCorp heavy vehicles entering and exiting and employee movements to and from including, but not limited to, employee use of the carpark at 1 Roberts Street, West Footscray; and
- p) Details of a direct line of communication between GrainCorp at 1 Roberts Street, West Footscray with the event organisers and the appointed Traffic Management company in order to efficiently resolve any traffic issues prior to, during and immediately after the proposed events.

The TMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Security Management Plan

12. An updated Security Management Plan (SMP), generally in accordance with the SMP prepared by NSA National Pty Ltd dated 11 September 2024 must be submitted to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The SMP must be amended to show:
- a) five (5) additional dedicated security personnel for prior to, during and immediately after the proposed events for 1 Roberts Street, West Footscray; and
 - b) security patrols to include the external perimeter of 1 Roberts Street, West Footscray and throughout Hansen Reserve to ensure attendees do not access the rear of the 1 Roberts Street, West Footscray.

The SMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Alcohol Management Plan

13. The use must operate in accordance with the endorsed Alcohol Management Plan (AMP), prepared by Gojo Event Management, undated.

The AMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Medical Management Plan

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14. The use must operate in accordance with the endorsed Medical Management Plan (MMP), Reference COL OPS 0285/1 prepared by Colmed Group, undated.

The MMP may be updated or amended once feedback is received and reviewed to the satisfaction of the Responsible Authority.

Noise Control – Music on the day of the event

15. Music must only be played between the hours of 2pm and 10pm on the dates set out in condition 3, unless with the prior written consent of the Responsible Authority.
16. Noise levels emanating from the premises must not exceed those required to be met under the *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues* (EPA Publication 1826.4). Any works required to ensure and maintain the noise levels in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.

No Signs that can be mistaken for traffic signals

17. No sign is permitted that could be visible from any road that could be mistaken for traffic signals or traffic directions, unless those signs are specifically designed for that purpose.

Regulation of Delivery (Times)

18. Deliveries to and from the site must only occur between:
- 6am to 10pm (inclusive) Monday to Saturday; and
 - 9am to 10pm (inclusive) Sunday and/or public holidays.

Regulation of Delivery (Location)

19. Deliveries to and from the site must only occur on the site itself and must not utilise surrounding streets (including on-street car parking).

Adjoining Amenity

20. The permit holder/event organisers will ensure:
- a) no litter of any kind is left on the adjacent footpath verges, within the site at 1 Roberts Street, West Footscray or in close proximity to this site following each event; and
 - b) Site personnel and contractors can safely enter and leave the site at 1 Roberts Street, West Footscray during the event period.

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Vermin/ Pest Control

21. The permit holder/event organisers must undertake pest control assessments to be undertaken by a suitably qualified person prior to the first scheduled event to assess whether any pest/fauna populations and species are occupying the site (if any). Where pest/fauna populations are identified, they must be removed or relocated by a suitably qualified person.

Temporary Permit Only

22. This Permit is valid for 6 months from the date of issue.

The Responsible Authority will not extend the periods referred to above. A new application will need to be submitted to and approved by the Responsible Authority for any future event(s).

Department of Transport, Police and Council notification

23. The Department of Transport, Victoria Police and Maribyrnong City Council must be given a minimum of two weeks' notice of the event held on 8 December and four weeks' notice of the other event dates included in Condition 3.

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USEFUL INFORMATION:

- EPA Matters:
 - The permitted use may need to comply with obligations under the EPA Act and respective regulations.
- Separate approval for road closures:
 - This permit does not allow the closure of roads. For the closure (or partial closure) of Sunshine Road separate approval will need to be obtained from VicRoads. For the closure (or partial closure) of Roberts Street or any other local street, separate approval will need to be obtained from Maribyrnong City Council.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

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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