

PLANNING PERMIT

Permit No.:	PA2403110
Planning scheme:	Yarra Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	101 Cremorne Street Cremorne (Lot 1 on Title Plan 243830M, Lot 1 on Title Plan 371486J, Lot 1 on Title Plan 833550E, Lot 1 on Title Plan 864823U)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
34.02-1	Use the land for shop
34.02-4	Construct a building or construct or carry out works
52.06-3	Reduce the number of car parking spaces

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Approved and endorsed plans – changes required

1. Before the use or development starts, including 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 by CHT Architects titled '101 Cremorne Street, Cremorne' Rev C dated 25 June 2024, but amended to show the following details:
 - a) A ground level setback to Kelso Street of 1.1 metres, a chamfer ground level setback to the Cremorne Street and Kelso Street corner of the building, and a planter box added on the east side of the Level 3 terrace, as detailed in the discussion plans prepared by CHT Architects titled '101 Cremorne Street, Cremorne' Rev D dated 10 October 2024.
 - b) Recessed planter boxes, brick pillars and appropriate façade detail to be incorporated into the Kelso Street building entrance façade at ground level.
 - c) Visitor bicycle parking within the building.
 - d) Width dimension of the car park entrance.
 - e) Width dimension of the internal vehicle accessway.

Date of issue: 19 December 2024 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- f) Length dimension of each ramp section for the ramp between basement 1 and 2.
- g) Headroom clearance dimension at the car park entrance.
- h) Loading bay dimensions.
- i) Vehicle crossing pavement material(s) in accordance with Yarra City Council's Infrastructure – Road Materials Policy 2018.
- j) Any changes required in accordance with Condition 5 of this permit – Waste Management Plan.
- k) Any changes required in accordance with Condition 6 of this permit – Wind assessment report.
- l) Any changes required in accordance with Condition 8 of this permit – Façade strategy.
- m) Any changes required in accordance with Condition 9 of this permit – Landscape plan.
- n) Any changes required in accordance with Condition 12 of this permit – Public realm plan.
- o) Any changes required in accordance with Condition 16 of this permit - Acoustic report.

Compliance with documents approved under this permit

- 2. 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

- 3. This permit will operate from the issued date of this permit.

Retention of architect and landscape architect

- 4. Except with the consent of the responsible authority, Life Architecture (formerly CHT Architects) and Jack Merlo Design and Landscape must be retained to complete and provide architectural and landscape oversight during construction of the detailed design as shown in the endorsed plans to the satisfaction of responsible authority.

Waste management plan

- 5. Concurrent with the endorsement of plans pursuant to Condition 1 of this permit, a Waste Management Plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. 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 Traffix Group dated July 2024, and must include the following:
 - a) Waste storage area increased in size to meet the requirements of Yarra City Council.

Wind assessment report

- 6. Concurrent with the endorsement of plans pursuant to Condition 1 of this permit, a Wind Assessment Report must be approved and endorsed by the responsible authority. The Wind Assessment Report must be to the satisfaction of the responsible authority, be generally in accordance with the Wind Impact Statement prepared by Vipac dated 4 July 2024, and modified to include:
 - a) Changes required under Condition 1 of this permit.
 - b) Wind tunnel study to quantify the wind conditions and determine the required wind control measures.
- 7. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the responsible authority.

Date of issue: 19 December 2024 Signature for the responsible authority:



Façade strategy

8. Concurrent with the endorsement of plans pursuant to Condition 1 of this permit, a Façade Strategy must be submitted to and be approved by the responsible authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the responsible authority. The Façade Strategy must be generally in accordance with the plans prepared by CHT Architects titled '101 Cremorne Street, Cremorne' Rev C dated 25 June 2024, but amended to show the following details:
- a) Changes required under Condition 1 of this permit.
 - b) Elevation drawings at a minimum scale of 1:50 illustrating typical podium details, entries and doors, treatments proposed to the roof and utilities and typical tower facade details.
 - c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form.
 - d) Demonstrate how the materials proposed for the plant area / plant structure will integrate with the architecture of the overall development.
 - e) Confirm that an anti-graffiti treatment will be applied to the entirety of the ground floor building façade.
 - f) Information about how the façade will be maintained, including any vegetation in accordance with Condition 9 of this permit – landscape plan.
 - g) A materials schedule complete with coloured drawings outlining colours, materials and finishes.

The Façade Strategy must be to the satisfaction of the responsible authority and when approved shall form a part of the endorsed plans of this permit.

Landscape plan and landscape maintenance – site only

9. Concurrent with the endorsement of plans pursuant to Condition 1 of this permit, an amended landscape plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The landscape plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the landscape plan prepared by Jack Merlo Design and Landscape dated 19 July 2024, and must include:
- a) Changes required under Condition 1 of this permit.
 - b) Landscaping to the chamfer ground floor setback at the Cremorne Street and Kelso Street corner of the building.
 - c) Vertical greening incorporated into the Kelso Street building entrance façade at ground level, to form continuous vertical greening from level 3 to the ground level and frame the entrance.
 - d) Landscape works external to the site removed.
 - e) A green infrastructure maintenance plan, detailing:
 - i. Plant establishment maintenance schedule and period.
 - ii. Ongoing vegetation maintenance schedule after the 52-week period including monitoring of plants, weeding, re-mulching, pest management, fertilising, re-planting and re-planting timeframes for poorly performing plant stock.
 - iii. Maintenance schedule for green infrastructure structures.
 - iv. Maintenance access requirements and sample agreements.



Completion of landscaping – site only

10. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority in consultation with Yarra City Council.

Landscaping maintenance – site only

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

Public realm plan

12. Concurrent with the endorsement of plans pursuant to Condition 1 of this permit, a public realm plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The public realm plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the landscape plan prepared by Jack Merlo Design and Landscape dated 19 July 2024, and must include:
- a) Changes required under Condition 1 of this permit.
 - b) The following streetscape enhancements within Cremorne Street:
 - i. 3 street trees.
 - ii. 3 passively irrigated planter beds, which must not be rain gardens.
 - iii. At least 2 public seats.
 - c) Bluestone paving to extend along the Cremorne Street frontage and include the chamfer at the Cremorne Street and Kelso Street corner of the building.
 - d) An asphalt surface to extend along the Kelso Street frontage;
 - e) Bluestone paving provided in accordance with Yarra Public Domain Manual Technical Notes 4.1.3;
 - f) Bluestone paving on Cremorne Street to be continuous through the public realm with the site boundary indicated by a steel edge detail;
 - g) Kerb edges to be reconstructed on Cremorne Street as new sawn bluestone kerb and channel to satisfaction of Urban Design;
 - h) Kerb edges at corner must provide drop kerbs at pedestrian crossing points orientated to crossing point; and
 - i) Passively irrigated garden bed outstands, kerbs, drainage, soils and mulch.

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

Completion of public realm works

13. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm must be fully constructed and completed to the satisfaction of, and at no cost to, the Yarra City Council's Civil Engineering Department.

Street tree planting

14. Before the development commences, the owner must provide an Asset Protection Bond to the value agreed by Yarra City Council. The security bond:
- a) must be provided to Yarra City Council in the form of a bank cheque or guarantee;



- b) may be held by Yarra City Council until the works are completed to the satisfaction of Yarra City Council; and
- c) must be in accordance with the requirements of this permit.

Public realm maintenance

15. All street tree planting, understorey planting and any maintenance and/or establishment work within 24 months after planting must be completed by an approved tree maintenance contractor to the satisfaction of Yarra City Council.

Noise attenuation

16. Concurrent with the endorsement of plans pursuant to Condition 1 of this permit, an acoustic report must be submitted to and approved and endorsed by the responsible authority. The acoustic report must be prepared to the satisfaction of the responsible authority and include the following details:
- a) Any changes required under Condition 1 of this permit.
 - b) Specify any noise attenuation measures to mitigate noise from the outdoor cinema, including maximum number of users and outdoor speaker volume limits, and rooftop plant.
 - c) Demonstrate compliance with EPA Publication 1826.4.
 - d) Any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.4.

Acoustic measures for the development must be implemented in accordance with the acoustic report to the satisfaction of the responsible authority.

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

17. The ancillary outdoor cinema must:
- a) Not be used independently of the office.
 - b) Only be used by occupants of the building and persons who are their authorised visitors on the same day, in accordance with the maximum number of users specified in the endorsed acoustic report.

Noise control

18. 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 Yarra City Council.

Environmentally sustainable design

19. The recommendations of the approved sustainable management plan must be implemented to the satisfaction of the responsible authority.
20. Prior to the commencement of the development, including bulk excavation, evidence of registration with the Green Building Council of Australia, including a reference number and commitment for the development to achieve a minimum 5 star Green Star Buildings rating, must be submitted to the responsible authority.
21. Within six months of the occupation of the development, a report from the author of the endorsed sustainable management plan 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 in consultation with Yarra City Council.

3D Model

22. Before the development starts, excluding demolition, bulk excavation and site preparation works (or as otherwise agreed with the responsible authority), a 3D digital model of the development and its immediate surrounds must be approved by the responsible authority. The 3D model must be in accordance with the *Technical Advisory Note for 3D Digital Model Submissions* prepared by the Department of Transport and Planning.

Detailed civil and drainage design plan

23. Before the development starts, a Detailed civil and drainage design plan prepared to the satisfaction of the responsible authority in consultation with Yarra City Council must be submitted to and approved by the responsible authority. Once the plan is approved, it will be endorsed and will then form part of the permit. The Detailed civil and drainage design plan must be designed in accordance with the council's engineering standards and requirements and must provide:
- a) Provisions for all civil and drainage works that are required to the abutting road frontages, as part of the development.
 - b) Surface materials and finishes shown and specified.
 - c) With regard to the proposed reconfiguration and extension of the Water Sensitive Urban Design (WSUD) outstand treatments along Cremorne Street:
 - i. Show detail of extended WSUD treatments and associated drainage (such as agricultural pipes, overflow pits) and specify the filter medium and planting.
 - ii. Specify the backfill materials and pavement make up for sections of existing WSUD outstand treatments proposed for removal; and
24. Before the development is completed or at a later date as agreed in writing by the responsible authority, all associated works shown on the endorsed Detailed civil and drainage design plan must be fully constructed and completed by the owner, all to the satisfaction of the responsible authority in consultation with Yarra City Council.

Road infrastructure

25. Before the development starts, a vehicle crossing design must be submitted to and approved by Yarra City Council's Civil Engineering Department.
26. Before the use starts or the development is occupied, any new vehicular crossing(s) must be constructed, existing disused or redundant vehicle crossings removed and the footpath, kerb and channel reinstated, all to the satisfaction of Yarra City Council at the cost of the owner.
27. Before the building is occupied, or by such later date as approved in writing by Yarra City Council, the kerbs and channels along the extent of the site's Cremorne Street and Kelso Street frontages are to be reconstructed:
- a) at no cost to Yarra City Council; and
 - b) to the satisfaction of Yarra City Council.



28. Before the building is occupied, or by such later date as approved in writing by Yarra City Council, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated:
- at no cost to Yarra City Council; and
 - to the satisfaction of Yarra City Council.

Car parking

29. Before the use starts or the development is occupied, the areas set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:
- constructed
 - properly formed to such levels that they can be used in accordance with the plans
 - surfaced with an all-weather-seal coat
 - drained
 - line marked to indicate each car space and all access lanes
 - clearly marked to show the direction of traffic along access lanes and driveways,

to the satisfaction of the responsible authority.

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 Yarra City Council.

30. Before the use starts or the development is occupied, a sign must be provided directing drivers to the area(s) set aside for car parking to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres.

At all times, the sign must be located and maintained to the satisfaction of the Yarra City Council.

Loading/unloading

31. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Yarra City Council.

Green travel plan

32. Before the development is occupied, a Green travel plan generally in accordance with the Green travel plan prepared by Traffix Group, Rev D, dated 1 August 2023 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, but not be limited to the following:
- a description of the site location in the context of alternative modes of transport;
 - employee welcome packs (e.g. provision of Myki/transport ticketing);
 - the provision of real time passenger information displays for nearby public transport stops within the lobby;
 - sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - a designated 'manager' or 'champion' responsible for coordination and implementation;



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- f) details of bicycle parking and bicycle routes;
- g) details of Green travel plan funding and management responsibilities;
- h) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
- i) security arrangements to access the employee bicycle storage spaces;
- j) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
- k) reference to a minimum 40A single phase electrical sub circuit should be installed to the basement levels for 'EV readiness'; and
- l) provisions for the Green travel plan to be updated not less than every 5 years.

33. The provisions, recommendations and requirements of the endorsed Green travel plan must be implemented and complied with to the satisfaction of the responsible authority in consultation with Yarra City Council.

Public Lighting Plan

34. Before the development starts, excluding excavation, piling and site preparation works, a detailed public lighting plan must be approved by the responsible authority in consultation with Yarra City Council. This plan must:
- a) Be generally consistent with Yarra City Council's Lighting Strategy.
 - b) Identify all proposed lighting sources, lux levels and spillage details and address how the lighting will integrate with the existing lighting in the interfacing public spaces.
 - c) Show how external lighting will be designed, baffled and located so as to prevent any adverse effect on adjoining land.
 - d) Show all public lighting in conformity with AS1158.3.1-2000 Lighting for roads and public spaces pedestrian area (Category P) lighting – Performance and design requirements and AS/NZS 428:2019.2 Control of the obtrusive effects of outdoor lighting and the Public Lighting Code December 2015 (v2).
 - e) Provide for the locations of any new light poles so as not to obstruct access into private garages/off and on-street parking spaces.
 - f) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.

The approved lighting plan must be implemented as part of the development to the satisfaction of the responsible authority in consultation with Yarra City Council.

General

35. The amenity of the area must not be detrimentally affected by the use, including through:
- a) the transport of materials, goods or commodities to or from land;
 - b) the appearance of any buildings, works or materials;
 - c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - d) the presence of vermin,

to the satisfaction of the responsible authority.

Date of issue: 19 December 2024 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

36. Before the building is occupied, or by such later date as approved in writing by the responsible authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the responsible authority.
37. Before the building is occupied, any podium wall facing Cremorne Street or Kelso Street must be treated with a graffiti proof finish to the satisfaction of the responsible authority.
38. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.
39. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Development Contributions

40. Prior to the issue of a building permit or commencement of the development (whichever occurs first), the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Construction Management Plan

41. Before the development commences, a Construction Management Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in consultation with Yarra City Council. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - b) works necessary to protect road and other infrastructure;
 - c) remediation of any damage to road and other infrastructure;
 - d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - e) facilities for vehicle washing, which must be located on the land;
 - f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - g) site security;
 - h) management of any environmental hazards including, but not limited to:
 - iii. contaminated soil;
 - iv. materials and waste;
 - v. dust;
 - vi. stormwater contamination from run-off and wash-waters;
 - vii. sediment from the land on roads;
 - viii. washing of concrete trucks and other vehicles and machinery; and
 - ix. spillage from refuelling cranes and other vehicles and machinery;
 - i) the construction program;
 - j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - k) parking facilities for construction workers;
 - l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;

Date of issue: 19 December 2024 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- n) an emergency contact that is available for 24 hours per day for residents and the Yarra City Council in the event of relevant queries or problems experienced;
- o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Yarra City Council. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - x. using lower noise work practice and equipment;
 - xi. the suitability of the land for the use of an electric crane;
 - xii. silencing all mechanical plant by the best practical means using current technology;
 - xiii. fitting pneumatic tools with an effective silencer;
 - xiv. other relevant considerations; and
 - xv. any site-specific requirements;

During the construction:

- q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- s) vehicle borne material must not accumulate on the roads abutting the land;
- t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

42. Except with the prior written consent of the Yarra City Council, demolition or construction works must not be carried out:

- a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
- b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Expiry – Development and use

43. 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 [6] years of the issued date of this permit.
- c) The use does not start within [2] years of completion of the development.

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.

Date of issue: 19 December 2024 Signature for the responsible authority:



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

USEFUL INFORMATION:

- (the following information does not form part of this permit)
- The permitted use or development may need to comply with, or obtain the following further approvals:
 - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
 - A building permit under the *Building Act 1993*.

Yarra City Council

- All future employees within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.
- Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.
- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.
- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the Permit Holder's expense after seeking approval from the relevant authority.
- No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.
- Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management Unit.
- The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath.
- Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

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.