

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2402928
Planning scheme:	Mitchell Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	90 High Street, Seymour

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
36.01-2	Construct a building or construct or carry out works associated with an existing Education Centre.

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 Plan

3. Before the development starts, including demolition, 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 ROAM Architects, dated 13/05/2024 Rev. TP1, but modified to show:
 - a) Finished floor level of at least 300 millimetres above the applicable 1 in 100 AEP flood level of 140.4 metres AHD.
 - b) Any changes required by the Environmentally Sustainable Design report required by Condition 7.
 - c) Access to the new car parking spaces and any changes required by condition 9.

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Layout not altered.

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

Landscaping completion

5. Unless with the prior consent of Mitchell Shire Council, the landscaping shown on the approved landscape plan must be carried out and completed prior to the occupation of the development to the satisfaction of Mitchell Shire Council.

Landscaping maintenance

6. At all times, the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damage plants) to the satisfaction of Mitchell Shire Council.

Environmentally Sustainable Design

7. Concurrent with the endorsement of plans, an Environmentally Sustainable Design (ESD) prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority.
8. The recommendations of the approved ESD must be implemented to the satisfaction of the responsible authority.

Parking

9. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes shown on the endorsed plans must be:
 - a) Constructed of permeable material.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Drained
 - d) Line marked to indicate each car space and all access lanes.To the satisfaction of Mitchell Shire Council.

Stormwater Management System – implementation and management

10. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of Mitchell Shire Council.

Run-off

11. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into Mitchell Shire Council drains or watercourses.

Drainage

12. The land must be drained to the satisfaction of Mitchell Shire Council.

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Noise Control

13. 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 Noise Protocol to the satisfaction of Mitchell Shire Council.

Lighting

14. 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.

General Amenity Provision

15. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
- Transport of materials, goods or commodities to or from the land
 - Appearance of any building, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products

To the satisfaction of the responsible authority.

Goulburn Broken CMA Conditions

16. The finished floor level of the proposed building (VCE and Senior Learning Centre) must be constructed at least 300 millimetres above the applicable 1 in 100 AEP flood level of 140.4 metres AHD, i.e. 140.7 metres AHD, or higher level deemed necessary by the responsible authority.

Commencement

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

Expiry

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

- The development is not started within two years of the issued date of this permit.
- The development is not completed within four 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.

- The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- The completion date referred to if a request is made in writing within six months after the permit expires and the development started lawfully before the permit expired.

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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

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

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

<i>Date extension approved</i>	<i>Period of extension</i>	<i>Commencement date</i>	<i>Completion date</i>	<i>Date to certify plan of subdivision</i>

Notes:

- The permitted use or development may need to comply with, or obtain the following further approvals:
 - A building permit under the *Building Act 1993*.

Goulburn Broken CMA Note

Please note that the 1 in 100 AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1 in 100AEP flood, may occur in the future.

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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.

Date issued: 16 July 2024 Signature for the responsible authority:

