

PLANNING PERMIT

Permit No.:	PA2402910
Planning scheme:	Whitehorse Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	487-503 Springvale Road, Vermont South (Lot 235 PS88921 and Lot 1 TP333893K)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
37.01-4	Construct a building or construct or carry out works

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Approved and endorsed car park and landscape works plans – changes required

1. Before the development starts, an amended car park and landscape works plan must be approved and endorsed by the responsible authority. 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 Orchard Design, titled 'Emmaus College, Vermont Campus' and dated 4 July 2024, and must include the following:
 - a) Any changes required in accordance with Condition 4 of this permit – Acoustic report.
 - b) Proposed trees to be either juvenile or 1.5m in height when planted.
 - c) Additional street tree planting in Stanley Grove.
 - d) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
 - e) Sectional drawings for the proposed earthworks for the accessway and carpark in the southeastern corner of the site, adjacent to the sports courts and the interface with Stanley Road.

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.

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Layout not altered

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

Noise attenuation

4. 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:
- Specify any noise attenuation measures that may be required to mitigate noise from the bus drop-off area.
 - Demonstrate compliance with relevant requirements, such as EPA Publication 1826.4.
 - Any mitigation measures that will be implemented to achieve compliance with the relevant requirement.

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.

Completion of landscaping

5. 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.

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

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 damaged plants) to the satisfaction of the responsible authority.

Vegetation management plan

7. Before the development starts, a vegetation management plan must be approved and endorsed by the responsible authority. The vegetation management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Arborist Report by Arbor Advocacy, dated 8 February 2024, and must:
- be prepared by a suitably qualified person;
 - include the following:
 - Measures that must be incorporated into the design and construction of the development to ensure the protection of any trees identified for retention, determined in accordance with *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*.
 - The location of tree protection zones and tree protection fencing for trees identified for retention on a plan that is drawn to scale with dimensions.

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Erection of tree protection fencing in accordance with vegetation management plan

8. Before the development starts, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved vegetation management plan and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the responsible authority.

Maintenance of tree protection fencing and exclusion of activities within fencing

9. At all times during the carrying out of the development:
- the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the responsible authority; and
 - development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing,

to the satisfaction of the responsible authority.

The responsible authority may consent in writing to the variation of these requirements.

Environmentally sustainable design

10. The recommendations of the approved sustainable management plan must be implemented to the satisfaction of the responsible authority.

Stormwater management plan

11. Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must be prepared to the satisfaction of the responsible authority in consultation with Whitehorse City Council, be generally in accordance with the Sustainable Design Assessment by Sustainable Design Consultants, dated October 2024 and must:
- Include details of the stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
 - Set out how the stormwater management system will be managed on an ongoing basis.
 - Demonstrate how all relevant standards set out in the Whitehorse Planning Scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations.

Stormwater management system – implementation and management

12. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed to the satisfaction of the responsible authority. Once constructed, the system must be managed and maintained to the satisfaction of Whitehorse City Council.

Car parking

13. Before 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;



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- c) surfaced with an all-weather-seal coat;
- d) drained;
- e) line marked to indicate each car space and all access lanes; and
- f) clearly marked to show the direction of traffic along access lanes and driveways,

all to the satisfaction of the responsible authority.

- 14. 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 Whitehorse City Council.
- 15. The Stanley Road access must only be used by staff vehicles.
- 16. Visitors must only access the site from Hawthorn Road.
- 17. All buses, staff maintenance and waste vehicles must ingress the site from Hawthorn Road only and egress the site onto Springvale Road only.

Head, Transport for Victoria

- 18. Unless otherwise agreed in writing with the Head, Transport for Victoria egress onto Springvale Road must be restricted to buses, staff maintenance and waste vehicles only to the satisfaction of the Head, Transport for Victoria.
- 19. Buses are not permitted to exit the site and turn right at the Hawthorn Road intersection with Springvale Road. Buses must run to the Burwood Highway intersection or an alternative route to travel west to the satisfaction of the Head Transport for Victoria.

General

- 20. 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.

Construction management plan

- 21. Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner of the land will manage the environmental and construction issues associated with the development, must be submitted to and approved by the responsible authority, in consultation with Whitehorse City Council.

This plan is to be to the satisfaction of the responsible authority and must be prepared in accordance with the City of Whitehorse Construction Management Plan Guidelines.

Once submitted to and approved by the responsible authority, the Construction Management Plan will form part of the documents endorsed as part of this planning permit.

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When approved the Construction Management Plan will form part of this permit and must be complied with, to the satisfaction of the Whitehorse City Council, to the extent that this is in the control of the owner of the land. The owner of the land is to be responsible for all costs associated with the works to be undertaken in accordance with the requirements of the Construction Management Plan.

Commencement

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

Expiry

23. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

- a) The development is not started within two years of the issued date of this permit.
- b) 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, 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 date 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 information does not form part of this permit)
- 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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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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