

PLANNING PERMIT

Permit No.:	PA2402851
Planning scheme:	Warrnambool Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	28 Selby Road Warrnambool (Lots 1, 2 and 3 PS53987, Lot 39 and 42 PS96297, Lot 1 LP29755)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.08-10	Construct a building or construct or carry out works

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.

Layout not altered

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

Approved and endorsed architectural plans – changes required

3. Before the development starts, 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 Y2 Architecture, dated April 2024 (TP-03, TP-04, TP-06, TP-07) and May 2024 (TP-00, TP-01, TP-02, TP-05), but amended to show the following details:
 - a) Details and dimensions of the proposed new carparking spaces and aisles in accordance with the design standards of Clause 52.06-9.
 - b) All easements shown on title.
 - c) All proposed earthworks, drainage works and tree removal as shown in the Stormwater Management Strategy prepared by RMG and dated June 2024.

Landscape plan

Date issued: 19 September 2024 Signature for the responsible authority: 

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Sections 63, 64, 64A and 86

4. Before the development starts, a landscape 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 Concept Plan prepared by 3 Acres Landscape Architecture and dated April 2024, and must include the following:
- layout of landscaping and planting within all open areas of the site;
 - a survey (including botanical names) of all existing vegetation to be retained and/or removed
 - details of surface finishes of pathways and driveways;
 - a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and
 - the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.

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.

Stormwater management system – implementation and management

7. The stormwater management system included in the endorsed Stormwater Management Plan must be constructed, managed and maintained to the satisfaction of the responsible authority.
8. Stormwater must be discharged to a legal point of discharge to the satisfaction of the Warrnambool City Council.

The Stormwater Management Plan must not be altered without the written consent of the responsible authority.

Commencement

9. This permit will operate from the issued date of this permit.
10. Once the development permitted has started, they must be continued and completed to the satisfaction of the Responsible Authority.

Expiry

11. This permit as it relates to development (buildings and works) 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.

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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 development may need to comply with, or obtain the following further approvals:
 - A building permit under the *Building Act 1993*.
 - Any structure proposed to be built over an easement requires Warrnambool City Council and relevant service authority's approval prior to the issuing of a building permit.

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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.

Date issued: 19 September 2024 Signature for the responsible authority:

