

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

| | |
|-------------------------------|--------------------------------|
| Permit No.: | PA2402901 |
| Planning scheme: | Mildura Planning Scheme |
| Responsible authority: | Minister for Planning |
| ADDRESS OF THE LAND: | 718 Woomera Avenue, Red Cliffs |

THE PERMIT ALLOWS:

| Planning scheme clause No. | Description of what the permit will allow: |
|-----------------------------------|---|
| | <i>Buildings and works associated with a utility installation.</i> |
| 37.01-4 | To construct or carry works associated with a utility installation. |
| 43.01-1 | To construct or carry out works associated with a utility installation. |

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

COMPLIANCE

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.
2. The ongoing use of the land must take all practical measures to comply with EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (EPA Publication 1826.4).

WRITTEN CONSENT TO MODIFY ENDORSED PLANS

3. The use and development must be generally in accordance with all plans and documents approved and endorsed under this permit. The endorsed plans must not be altered or modified without the prior written consent of the responsible authority.

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

4. Before the development starts, a Construction Environmental Management Plan (CEMP) must be approved and endorsed by the responsible authority.

The CEMP must include:

- a) Measures to avoid and minimise amenity and environmental impacts during construction of the facility.
- b) Procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).
- c) Procedures to manage mud and debris on the surrounding road network which may occur during construction.

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- d) Procedures to remove temporary works, plant, equipment, buildings and staging area, and reinstate the affected parts of the land, when construction is complete.
 - e) A construction timetable, including typical daily start and end times.
 - f) The person(s) responsible for implementation and compliance of each of the CEMP requirements, including details of a site contact/ site manager.
5. All persons undertaking works on-site must be fully briefed on all aspects and requirements of the endorsed CEMP. All works constructed or carried out must be in accordance with the endorsed CEMP, to the satisfaction of the responsible authority.

DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION – ENERGY PROJECTS (NOT A REFERRAL AUTHORITY)

6. No structures, works, storage or vehicle turning and parking shall occur on, or encroach upon, the adjoining Crown land.

EXPIRY

7. This permit will expire if one of the following applies:
- a) The development is not started within 3 years of the date of this permit.
 - b) The development is not completed within 6 years of the date of this permit.
 - c) The use has not commenced within 6 years of the completion of the development.

The responsible authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

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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: 11 October 2024 Signature for the responsible authority:

