

PLANNING PERMIT

Permit No.:	PA2403350
Planning scheme:	Manningham Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	162-168 Bulleen Road, Bulleen

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
42.01-2	Construct a building or construct or carry out works
44.04-2	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 Manningham Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Tree Protection and Management Plan

3. Before the development starts, a Tree Protection and Management Plan (TPMP) prepared by a suitable qualified Arborist, must be approved and endorsed by the Manningham City Council. The TPMP must set out how the trees to be retained will be protected during construction and which generally follows the layout of Section 5 of AS4970 'Protection of trees on development sites'. The TPMP should include:

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- a) A map of the ground floor development plan showing the TPZ and SRZ for all trees to be retained along with the location of protective fencing and/or areas where ground protection systems will be used.
- b) Details of any proposed work within a TPZ and construction controls required to reduce the impacts to retained trees.
- c) A statement advising any removal or pruning of Council owned trees must be undertaken by Council approved contractor.
- d) An inspection timeframe (minimum frequency of every 3 months), with a compliance check list to be signed and dated by the developer's project arborist and project manager / foreperson.

Completion of landscaping

4. Before the development is occupied, the landscaping shown on the approved landscape plans must be carried out and completed to the satisfaction of the responsible authority.

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

Sustainability Management Plan

5. The design initiatives specified in the approved Sustainability Management Plan must be implemented and completed to the satisfaction of the responsible authority.

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

Melbourne Water conditions

6. The layout of the buildings and works as shown on the plans must not be altered without prior written consent from Melbourne Water.
7. Finished floor level of the main floor of the pavilion (first floor – Team Social area, Board Room, Kitchen, Lobby, Work Room, Media Boxes and amenity areas) must be constructed no lower than 18.82 metres to Australian Height Datum (AHD) which is 600mm above the applicable flood level at the location of 18.22 metres to AHD.
8. Ground floor level (Change Rooms and Amenity areas) set at 14.4 metres to AHD must be fitted with signage to indicate the potential flood risk.
9. Lift shown at ground floor level must be designed to have a default resting position at first floor. (First set at 18.22 metres to AHD).
10. The lift and its components must be designed and constructed to withstand inundation.
11. Imported fill must be kept to a minimum at the location and only be used for the sub floor areas of the building.
12. Any new fencing and any gates must be 50% open style of construction to allow for the passage of floodwaters/overland flows.



13. Proposed pavilion must be designed and constructed in accordance with the recommendations of the Flood Risk Management Report (FRMP) prepared by HARC, dated: February 2024.
14. Actions detailed in the Flood Risk Management Report (FRMP) must be continued to be followed for the life of the development.

Manningham City Council conditions

15. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Manningham City Council, to prevent ponding and to minimise overland flows onto adjoining properties.
16. The stormwater discharge from the development must be connected to the existing point of discharge or the existing drainage system within the site.
17. All rainwater tanks must be connected to the point of discharge for any overflow to the satisfaction of the Manningham City Council.

North East Link Project conditions

18. Before the development starts, a Construction Management Plan (CMP) must be submitted to and approved by the responsible authority. To receive approval from the responsible authority, the CMP must be prepared to the satisfaction and endorsement of the North East Link Program (NELP). When approved, the plan will form part of the permit.

The CMP must include details of (but not be limited to) management proposals to minimise impacts to North East Link works and associated infrastructure during demolition and construction. The CMP must set out objectives and performance and monitoring requirements for:

- a) Public Safety, amenity and site security;
 - b) Operating hours, noise and vibration controls;
 - c) Air quality and dust management;
 - d) Stormwater and sediment control and tree protection;
 - e) Waste minimisation and litter prevention;
 - f) Traffic and parking management;
 - g) The demolition and construction program with a breakdown of activities and duration;
 - h) Measures to ensure that all works on the land will be carried out in accordance with the CMP.
19. The CMP approved under Condition 18 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority and NELP unless with the further written approval of the Responsible Authority and NELP.



Expiry – Development

20. 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 2 years of the issued date of this permit.
- b) The development is not completed within 4 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 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)

- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The applicant / owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant / owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- Nothing in this permit or any plans or documents approved in accordance with the conditions of this permit should be taken to imply that the development meets the requirements of the *Building Act 1993* and its regulations.
- Melbourne Water Flood Level information:
 - Location of the proposed replacement pavilion is subject to flooding from the Yarra River in the 1% AEP storm event with an applicable flood level of 18.22 m AHD. Based on the submitted plan and existing surface levels at the location of the pavilion, the maximum 1% AEP flood depth at the location is up to 6.0 metres.
 - Melbourne Water however has considered the Flood Risk Management Plan prepared by HARC dated Feb 2024 attached to the application and accepted that this report has sufficiently addressed monitoring of the pavilion's operation in the event of a significant AEP flood.
- North East Link Project (NELP) note:
 - Should the development be constructed at the same time as the North East Link (in this area), communication between the permit holder and NELP (a division of the Victorian Infrastructure Delivery Authority) is critical to coordinate the logistics of access to both projects. Please contact NELP at nelp-planning@northeastlink.vic.gov.au or 1800 105 105.



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.

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Signature for the responsible authority:

